

APPENDIX 1 - Consultation Responses to the Revised Terry's Development Brief and Officer Responses and Recommendations - for Planning Committee 23rd April 2009

No.	Ref.	Consultee	Comment	Officer Response	Officer Recommendation
1. INTRODUCTION					
1	TR01	Member of the Public	I am concerned (i) that views of the conserved factory buildings and the clock tower should not be obscured but should be allowed to dominate from all directions, (ii) that the full area of the garden should be protected.	The Brief requires views of the taller buildings to be retained - see the Objectives in Section 1 and the Design Principles in Section 7. The garden is also to be retained - see the Objectives in Section 1, the Design Principles in Section 7 and Internal Landscape Features in Section 6. The Conservation Area Appraisal also highlights the importance of these issues.	No change.
2	TR40	Micklegate Ward Members	Objective 8, page 3. Feel this should be strengthened by being more explicit about providing a hotel linked to the racecourse and its conferencing function. This strengthens the economy in a highly sustainable way by minimising travel between accommodation and conference / racing destination.	This would reflect the text in section 4 more accurately.	Amend paragraph 1.12 - Add.."such as a hotel with clear synergies with the conferencing and racing activities of the racecourse".
3	TR40	Micklegate Ward Members	Objective 16, page 3. Also feel this should be stronger, given the convenience of the private motor car needs to be outbalanced if we are to genuinely get a sustainable transport solution. Suggest should read "Effectively promotes and prioritises sustainable transport options ..."	This is consistent with the transport hierarchy that underpins the City's transport policies.	Amend paragraph 1.12 - Add..."prioritises".
4	TR42	Member of the Public	P1 item 1.2 You mention the aim is to improve the economic prosperity of the people in York, has a recent research been carried out to ensure the correct decisions are being made. How will this be evaluated and how will the council aim to change this. Why has the reference to make York a sustainable city been removed?	This issue is not being consulted on as part of the Development Brief for the Terry's site. The Council's Corporate Priorities are monitored and reviewed. The key focus of the Brief is requirements that are specific to the site, the quote was removed for brevity.	No change.
5	TR42	Member of the Public	P1 item 1.3 - I don't understand how this affects the site	It provides the context for the aspirations of the Brief for a development of at least regional significance in terms of its contribution to the economy.	No change.
6	TR42	Member of the Public	P1 item 1.5 - Raises very important points	Noted.	No change.
7	TR42	Member of the Public	P2 item 1.7 Has recent research been carried out to support this claim?	This is stating that the site has the potential, as an existing employment site, to provide employment of the type that is sought in the Sustainable Community Strategy, Regional Spatial Strategy and the Local Plan.	No change.
8	TR42	Member of the Public	P3 item 2 What are the core objectives?	There are too many to list in the Brief. The key issue is that the development should be consistent with the policy context.	No change.

9	TR44	Turley Associates	1.1 Reference to Nestle is misplaced and distracting. - Delete second sentence.	Agree.	Delete sentence.
10	TR44	Turley Associates	1.2 The changes to this paragraph are supported.	Noted.	No change.
11	TR44	Turley Associates	1.10 If the vision is to be realised, regard must be had to the viability of any proposals. There should be a clear statement of recognition that if the objectives and requirements of the Council render development unviable the scheme will not proceed and the vision will not be realised. Add the following paragraph after paragraph 1.10“1.11 The redevelopment of the site will be delivered by the private sector with assistance, where possible and appropriate, from the public sector. The Council recognises that the proposal will only proceed if economically viable and if the site provides uses for which there is market demand and /or need.”	Do not agree that this should be spelt out in the development brief. CYC provided detailed guidance for potential re-development of the site when Kraft were looking to sell the site in 2004, and reinforced this through the approved brief in 2006. Bids were made with that knowledge and, whilst every effort is being, and will be, made to bring a successful development forward, developer viability will not be the overriding consideration. Poor development or over-development will not be acceptable.	No change.
12	TR44	Turley Associates	1.11 The proposed changes to the vision are supported.	Noted.	No change.
13	TR44	Turley Associates	1.12 (3) The reference to housing development should be set within the context of the proposed development and surrounding area. Replace text for sub point (3) with “Provides quality housing in an attractive environment which complements the overall scheme and the surrounding South Bank area.”	Agree that this suggested amendment better reflects the context for any new housing development here.	Amend para 1.12 (3) accordingly
14	TR35	York Civic Trust	A first over-arching comment is that we are disappointed that in setting the high level vision for the site (paragraphs 1.4 – 1.11) the excellent Conservation Area Appraisal is not invoked. This reluctance explicitly to place the historic and architectural character of the site at the very heart of the Development Brief will, in our view, contribute to another round of misunderstandings between the Council and the developer.	The original brief was approved prior to completion of the Conservation Area Appraisal. Historically it could not be included in the document. We agree that it is an important base-line document for developing proposals and assessing the scheme.	Amend paragraph 1.4 - After first sentence “...York. The historic factory site forms a significant part of the Racecourse and Terry’s Factory Conservation Area (No 10) which was designated in 1975. A Conservation Area Appraisal setting out its special characteristics was adopted in October 2006. This is a site.....”.
15	TR35	York Civic Trust	The second major issue is that of over-development. We agree that a starting point for the exercise is to acknowledge that the site is primarily one of employment (1.4), yet we note that already by paragraph 1.10 this is extended to include the possibility of ‘hotel, community, leisure and residential’. We would advise that a much stronger steer is given to potential developers regarding the density and variety of development and that the first thought (‘principally an employment site’) is the one to pursue, rather than the mixed message that is currently being signalled.	An employment-led mixed use development is the key aim of the Brief and this is reflected throughout. This is considered the most appropriate solution for the site, allowing some flexibility to secure a future for the site in the current economic climate.	No change.
16	TR35	York Civic Trust	3. Detrimental impact upon Racecourse/Terry’s Conservation Area. We consider this to be central to the challenge of developing this important industrial complex. There is clear guidance given in the Conservation Area Appraisal regarding the elements that create the sense of place at Terry’s: the strict orthogonal layout, the impressive scale and design of the buildings, the inward-looking character of the complex and the landmark quality of the factory when seen from a distance from several different viewpoints. Our advice would be to present these very explicitly in the opening vision statement, so that they are firmly imprinted on the mind of any architect or designer involved with the site. A more detailed exposition could and should be set out in Section 2, drawing in far more detail on the Conservation Area Appraisal (at present the short paragraph at 2.10 is too exiguous and too well buried within the report to signal clearly to the developer the critical importance of this element).	The conservation area covers approximately half of the site to the west of Bishopthorpe Road. The original brief was written prior to the CA Appraisal’s production. We agree that the brief should reflect more clearly the key findings of the conservation area appraisal.	See Brief for amendments to paragraphs 1.12(12), 2.3, 2.5, 2.8 and 2.10.

17	TR35	York Civic Trust	Finally, all this would lead more logically to the Design Principles set out on Section 7, with which we agree and which we would like to see given more weight in the brief. Subsequent misunderstandings over detail are then far less likely to arise. There is more to this Conservation Area than the disposition of the trees, important as they are, and we strongly urge the Council to reinforce this central aspect of the brief, which seems to have been sidelined to a large degree.	Agree Design Principles need to be amplified.	Amend paragraph 6.9 in order to protect the view "built development should be significantly lower than the factory building and clocktower, however the belt... Amend paragraph 6.10 at the end "and from the adjacent racecourse stands". Amend paragraph 7.2 after distinctive character "It is important that it is read in conjunction with the Conservation Area Appraisal." Section 3..... Amend 7.4(7) add "The special character and appearance of the conservation area is set out in the Conservation Area Appraisal and any scheme must demonstrate that the essential qualities of the conservation area will be preserved and enhanced, including views in and out of the site". Amend section 7.4 re-ordering of points for clarity - see Brief for amendments.
18	TR47	English Heritage	1 the "Introduction" sets out the parameters, some now updated, which apply to the site but does not refer to the Conservation Area Appraisal which the council has secured. This appraisal sets out the collective and individual importance of the buildings and spaces within the conservation area. In our view these elements are key to the manner in which the conservation area should be developed and as such the omission of their significance in the opening paragraphs of the Brief suggests that they are being given less weight than we consider appropriate. We advise that this omission is rectified early within the "Introduction".	Agree that the findings of the Conservation Area Appraisal should be integrated into the brief . The Appraisal was adopted in October 2006, which was too late to use it within the original document.	See responses to comment 14.
19	TR47	English Heritage	2 we perceive a degree of confusion in the vision of uses for the site. "The Vision" suggests both "employment" and "mixed use" (which includes residential) and both options are capable of bringing good new buildings and enhanced retained buildings to the site. However unless there are clear indications as to the capacity of the site to cope with a mixed use scheme, we are concerned that, as with the now rejected proposals, overdevelopment will inevitably be proposed. This needs to be made explicit early on in "The Vision".	The development brief cannot be prescriptive in setting a quantum of development for different uses. It sets out what types of uses might be acceptable, together with other considerations such as boundary treatment, need to consider surrounding areas, traffic impact and so on. The developer will need to explore the most appropriate scale of development, having regard to the CYC objectives, as set out in the brief, and their own considerations of site viability.	No change.
20	TR47	English Heritage	3 the inserted reference at 1.12.3 regarding housing within the South Bank Area is made more explicit later in the Brief where the demand for houses rather than flats is clarified by the SHMA of June 2007. The design implications of houses needs to be made clear in the Brief.	The representation does not include any suggested wording and, whilst the concern over good design is acknowledged, it is considered that these issues are comprehensively addressed in sections 6 and 7 of the brief, specifically para 7.1 - 7.7 which refers to design principles and a design code.	No change.

21	TR48	Yorkshire and Humber Assembly	Generally supportive of the Brief and the aim to re-use the site. Paragraph - 1.3 - Leeds, Bradford, Sheffield and Hull are not sub-regional cities. Regionally it is the Assembly that have set the spatial agenda through the RSS not Yorkshire Forward through the RES.	Noted.	Amend Paragraph 1.3 to read - "Regionally, The Yorkshire and Humber Assembly, through the Regional Spatial Strategy, have recognised the wider economic driver potential of York. York is a Sub Regional City within the Leeds City Region with a significant role to play in providing economic benefit of regional significance".
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2. THE SITE

22	TR35	York Civic Trust	As a point of information, we note that, unlike York's other strays, the racecourse open space is protected by an Act of Parliament (Micklegate Strays Act, 1903).	Noted. We have a date of 1907 for the Micklegate Strays Act.	Add to paragraph 2.1 for information.
23	TR40	Micklegate Ward Members	Site location. Para 2.1 site is bounded on the south side by National Cycle route 65 from Selby & the south, and para 2.2 should say the east part of the site is bounded on the north by the continuation of NCN 65, separating the site from the residential areas to the north, and subsequent para 2.9 amended to reflect these earlier references to the NCN route.	Agree, this is more accurate.	Amend paragraph 2.1 "...to the west and to the south side by National Cycle Network route 65 from Selby & the south and open space...". Amend paragraph 2.2 "...Road and the continuation of NCN 65 forms...". Amend paragraph 2.9 "...paths (including National Cycle Network route 65)...".
24	TR40	Micklegate Ward Members	Site Description. Para 2.7 and 2.8 describe how the site is seen. Need an extra paragraph to refer to another set of key observation points, which is from the adjacent racecourse stands, with the upper floors offering some panoramic views of the main factory buildings - see by the tens of thousands of visitors to the Racecourse buildings - and the ugly added boxes on top of the main factory building which could do with removal. (This can be more fully stated in the section on Views in paras 6.7 to 6.10).	Agree.	See response to comment 17.
25	TR44	Turley Associates	2.4 Housing in South Bank also includes inter war housing. - Include reference to inter war housing in the paragraph 2.4.	Agree.	Amend para 2.4 to include reference to inter-war housing in South Bank.
26	TR44	Turley Associates	2.6 The third sentence referring to the mound along the south boundary could be amended to explain the context and purpose of the mound. Replace "The mounding and trees, although essentially planted for screening, now contribute to the attractive character of Bishopthorpe Road and Campleshon Road." with "The mounding along the north boundary was created both to shield the large warehouse inside the boundary from view and as a convenient method of disposal of spoil. With the removal of the warehouse as part of the redevelopment of the site, its original purpose is now redundant."	The suggested text assumes that the warehouse will be removed. There is every potential within the parameters of the brief that it could be re-used or replaced with another warehouse. Therefore in the site's current state, the mounding is not obsolete. The suggested text implies that the trees no longer have a function; this is also not the case. The trees (which happen to sit on top of the mounding) are very important to the setting of Bishopthorpe Road and Campleshon Road. The original purpose for planting them does not negate the trees' current and potential long term amenity value. On balance, the brief could be altered to clarify how the mounding came about but it must also acknowledge the value that the tree planting provides today – warehouse or no warehouse.	Substitute third sentence with: "The mounding along the north and northeast boundary was created both to shield the large warehouse inside the boundary from view and as a convenient method of disposal of spoil. With the potential removal of the warehouse as part of the redevelopment of the site, its original screening and noise attenuation function may not be fully required. Nonetheless, the tree cover located on the mounding makes a substantial contribution to the attractive character of Bishopthorpe Road and Campleshon Road."

3. PLANNING POLICY

27	TR26	Micklegate Planning Panel	Para 3.7: We were a little concerned about some of the mixed messages about York being a "sub-regional city" and at the same time an "asset for local people". York has its own identity and this should be respected within the brief.	A mixed use development of the site, as promoted by the brief, would allow for the site to contribute towards the Regional Spatial Strategy economic objectives for York through provision for business in the 'knowledge-sector', whilst providing for residential development and leisure and community facilities that would be an asset for local people.	No change.
28	TR31	Science City York	Science City supports the revisions except for the following comments: P13 3.32 After 'Guidelines for defining Science City York/knowledge-based activities' replace the sentence 'The Science City York Project..... Health Care' with 'The Science City York Project builds upon the earlier BioscienceYork Initiative and now contains three sector networks. As well as Bio-science York - Creative York and IT/Digital York', On the same page i.e. the first bullet point under 'Primary Considerations' replace 'high tech sector' with 'high knowledge sector'	Paragraph 3.12 is a direct quote from the Local Plan.	No change.
29	TR30	CPRE	We have read the revised Development Brief and noted the numerous revisions / additions to the original. Largely this has updated the document in line with on-going Government and Regional direction. We are pleased to note the increased emphasis on maintaining and enhancing the environment and the call for a reduction in height to some of the blocks. We do note however, on page 13 a new clause 3.11 referring to the Future York Report. To our knowledge this Report has not been formally adopted by the City of York Council and we believe that its reference should be deleted..	Noted. The Future York Group report is a key local evidence base document for forward planning work. However, it's objectives are not adopted by the Council and should not be stated as a requirement for the development of the site.	Amend paragraph 3.11 "should be taken into account in any emerging proposals".
30	TR40	Micklegate Ward Members	Local Planning Policy - para 3.8 page 10 and 3.11 page 13, also para 4.1 page 17, and 4.8 page 19. You delete the reference to this being a premier employment site. We are concerned at the implicit down grading of the site, especially when this is as far as we understand still the draft local plan policy / development control policy.	The site is not specifically referenced as a Premier Employment site in the Local Plan, we stated that the policy would apply based on the findings of the 2001 SQW report. The revisions to the brief update the position in light of the approved Employment Land Review.	See response to comment 43.
31	TR40	Micklegate Ward Members	In terms of 3.11, the Council has adopted a nuanced approach to handling the recommendations of the Future report, so saying they must be addressed is not entirely appropriate and needs amending.	The Report provides guidance and not policy.	See response to comment 29.
32	TR40	Micklegate Ward Members	Local Transport Plan page 14/15. LTP 2 sets the strategic framework and has a number of generalised policies, but the draft local plan / development control policies include some important statements too and specific transport policy requirements for new developments which we would want to see adhered to. Could this be specifically referred to so the two are read together and we don't get the developer playing this section off against the tests in the latter.	This would help to highlight the fact that the documents should be read together.	Add to paragraph 3.19 "The objectives of the Local Transport Plan must be read in conjunction with the Local Plan policies for Transport listed in paragraph 3.9 to ensure that all requirements for traffic and transport issues are taken into account in developing proposals".
33	TR42	Member of the Public	P10 item 3.6 Has this strategy taken into consideration the events of recent months and how that is going to affect the future?	The RSS was adopted in May 2008. But it is the adopted policy context with which York must be in conformity.	No change.

34	TR42	Member of the Public	P13 item 3.11 and 3.12 Why is there such a focus on developing the city as a science city and will this really benefit the existing community. Is there data to support this?	This issue is not being consulted on as part of the Development Brief for the Terry's site. The aims for York to be a Science City are set out in the Regional Spatial Strategy, Regional Economic Strategy, York Sustainable Community Strategy and the Local Plan. The Brief is required to reflect the requirements of these documents.	No change.
35	TR42	Member of the Public	P14 item 3.14 Why has this been taken out?	The LTP has been replaced with LTP2.	No change.
36	TR42	Member of the Public	P14 item 3.13 Where can clarification be obtained to understand this data and what it means to residents and the site.	In LTP2	No change.
37	TR44	Turley Associates	3.7 The Regional Spatial Strategy seeks to focus most development in the York sub policy area in the city of York and the outcome it seeks is a strengthened role for York, achieving significant population, housing and economic growth. In the second sentence after "...as a key driver of the Leeds City region economy ..." add "...and location for housing..."	Agree, this does reflect the RSS.	Amend para 3.7 as proposed.
38	TR44	Turley Associates	3.9 Repeating the relevant Development Control Local Plan Policies in the main body of the text lengthens the document unnecessarily. Delete the reference to the policies and include them in an Appendix to the document.	Agree, this would make the main body of the brief more concise and readable without overriding the need to address the relevant local plan policies.	Move Development Control Policies to Appendix at back of brief.
39	TR44	Turley Associates	3.10 The proposed changes to this paragraph are supported.	Noted.	No change.
40	TR44	Turley Associates	3.11 The proposed changes to this paragraph are supported.	Noted.	No change.
41	TR44	Turley Associates	3.12 The proposed changes to this paragraph are supported	Noted.	No change.
42	TR45	Turley Associates	3.15 Point 4 The brief lacks clarity as to what would constitute a "reasonable" reduction in traffic impacts. The brief should clarify what is would constitute a reasonable reduction in traffic impacts.	Noted. This aspect will be agreed as part of the scoping study for the transport assessment report which needs to be submitted alongside a future planning application.	No change.
43	TR48	Yorkshire and Humber Assembly	Paragraph 3.4 - It is not correct to say that the weight given to LDF DPDs increases as they progress. They cannot be given any weight until such time as an Inspector's report is received to confirm that the DPD is sound.	Noted.	Amend Paragraph 3.4 to read - "The Local Development Framework (LDF) for York is currently being prepared, with DPDs due to be adopted in 2010. However, it is likely that any planning application would come forward prior to the adoption of the LDF, so will be determined in the context of the RSS, Development Control Local Plan, approved LDF Evidence Base and this Brief". Paragraph 3.10 needs to be updated to reflect the policy position re the LDF evidence base. The Employment Land Review has now been considered by Members.

44	TR47	English Heritage	4. at Section 3 Planning Policy we find no reference to the conservation area or its appraisal - we consider this to be an omission. In addition at Regional Planning Policy we advise that there is also a requirement that "the street pattern, skyline views and setting of the historic city should be preserved". This should be added as 3.8 in our view.	Agree, this new evidence base should be referred to in this section. Do not agree that reference to street pattern of city of the historic city is appropriate or applicable in this location. It is a specific, unique campus-style development which would not be expected to mirror standard street scenes in York. The skyline, or long distance views, of the Terry's listed buildings are addressed in section 7, specifically para 7.4 (18) and (19).	Amend paragraph 3.20 amend second sentence as follows and add extra - "These should include an Urban Design Appraisal, a Survey of Trees and an Ecological Appraisal. The findings of the Conservation Area Appraisal must also be observed in developing parameters for the site. Some of these are listed in section 2, though the full document should be consulted. In addition Conservation Plans would assist in determining the significance and potential of the listed buildings, and measured surveys and condition surveys would assist in feasibility work, initial concept development and costings. These studies"
4. POTENTIAL USES					
45	TR03	Member of the Public	Maybe the Council could consider adding a small supermarket like 'Morrison's' at Acomb?	An element of retail use was considered acceptable as part of the previous proposals for the site.	Add new paragraph 4.16 - Shops - Local Plan Policy S8 - Provision of Shops in Non-Retail Development - encourages the provision of retail use within major new residential and employment developments as a means of providing for the day-to-day needs of residents and workers and to reduce the need to travel. An element of retail use would be acceptable on the site subject to a sequential test to demonstrate need and to consider impact (as per the requirements of Planning Policy Statement 6).
46	TR08	Member of the Public	I don't understand the potential uses 'not all... are high value added...'	The Brief states (para 4.1) that the knowledge based economy and high quality B1 use are the main aims for the site and that other complementary uses are acceptable to create an appropriate mix of uses.	No change.
47	TR13	Member of the Public	Purposes of the site for consideration should be looked at again in the brief, residents should be sent questionnaires to ascertain what they would like to see on the site, these may be different to the councils or grantsides preferred uses but would integrate better with York, these could include leisure facilities i.e. now the barbican pool has gone a new swimming pool complex with slides etc, an ice rink, a stadium, a concert venue, a new college with a speciality like horticulture, a museum or two museums,	This consultation is an opportunity for the local community to comment on the potential uses for the site. Extensive consultation was carried out by the Council in 2005/6 on the original brief. A number of uses are dictated by planning policy. The Development Brief explicitly allows for leisure uses.	No change.

48	TR13	Member of the Public	Another issue with the brief is to make sure that what ever is developed on the site reflects the current area and integrates with this, this then highlights the issue of high social housing plans, this would be unacceptable in this area, as residents have invested a high value of investment into their houses in this area, as im sure the average house price, will reflect, this is a popular area of york and to change the average house price in this area when residents have invested so much money into the area, if this value drops then that would alienate the development as an us and them problem, where the development would decrease house values, investment and this understandably concerns residents, there must be guidelines to make sure any development would have a positive impact in the area, and should really raise the profile and investment and average house price in the area.	The Brief aims to ensure a very high quality development. If any residential development is proposed then an element of affordable housing is required as per national, regional and local planning policy.	No change.
49	TR13	Member of the Public	A high density of social housing would also impact on the areas crime statistics as there seems to be more crime committed in socially deprived areas and over development of social housing in the brief will impact on average house prices negatively, impact on local crime statistics in a negative way and could see a most sort after location of york turned into a slum due to the development not integrating with current residents.	The principle of a mixed and sustainable community is now established policy and practice in ensuring that areas of social deprivation or exclusivity do not occur. CYC's current 50% target affordable housing requirement represents a 60:40 split between rented homes and discount sale. This means that the affordable housing will not just be for social rent but also provide opportunities for low cost home ownership. There is no evidence to show that a mixed community impacts on house prices, and studies by the Joseph Rowntree Foundation have praised the success of mixed communities in York and other cities.	No change.
50	TR15	Member of the Public	Miniature Railway should be added	Noted. The Brief allows for leisure uses, which could potentially include a miniature railway.	No change.
51	TR18	Member of the Public	It is hard to judge but I welcome the commitment to the community and the environment. What has happened to the museum idea? The provision of care for the garden sounds dubious. I want the clock to be maintained!	The Brief sets-out the need for a 'Heritage Link' - see section 4. This aspect of the development in subject to negotiation between the developer and the Council. The garden is to be retained - see the Objectives in Section 1, the Design Principles in Section 7 and Internal Landscape Features in Section 6. The Conservation Area Appraisal also highlights the importance of this issue. The Clock Tower building is listed and will be retained.	No change.
52	TR21	Member of the Public	One thing that I would like to see in the Plans is a site set aside somewhere near the Campleshon Road Gate for us to build a Scout Hut at the moment we are in Lorne Street nearby but it will not be long before our landlords (St.Chad's Church) want the land back. Hopefully we can be accommodated somewhere.	The site is in private ownership and the Council are not proposing the direct delivery of services for the community on the site. The Brief addresses the issue of the potential for Community Facilities on the site and the basis for negotiating developer contributions to address any impact on local facilities.	No change.
53	TR23	Member of the Public	I agree as the site needs to be developed but should keep the history of the Terry's Chocolate making alive. Perhaps a museum/ gallery there with local peoples works linked to the hotel	The Brief sets-out the need for a 'Heritage Link' - see section 4. This aspect of the development in subject to negotiation between the developer and the Council.	No change.

54	TR26	Micklegate Planning Panel	Para 4.19 passim – in general, we are supportive of the 60/40 ratio for family homes to flats on this site. We also strongly support the 50% “social housing” requirement. We would be interested to know, however, what is the logic behind providing more homes for “discounted sale”, who qualifies, and who ultimately funds the “discount”?	The mix of affordable housing between social rented and discount sale is based on a comprehensive survey of housing need in 2007, and helps to ensure that new housing sites have a range of tenure types. Discount sale buyers are taken from a CYC waiting list of applicants - people who are currently in unsuitable accommodation, for a variety of reasons, and who want to buy their own homes but are unable to afford full, open market house prices. The buyer owns the property at a discount that must be passed on to the next purchaser in perpetuity. The discount is funded by the profits created by the development and involves no public subsidy.	No change.
55	TR27	Member of the Public	No a portion of this vast site should be made available for a hospital or at least a walk-in clinic. There are many many elderly people in South Bank and it would benefit them enormously. But you really don't give a damn its all about money. I bet these comments don't see the light of day	The site is in private ownership and the Council are not proposing the direct delivery of services for the community on the site. The Brief addresses the issue of the potential for Community Facilities on the site and the basis for negotiating developer contributions to address any impact on local facilities.	No change.
56	TR31	Science City York	P17 4.5 We would suggest reverting to the original heading 'The Knowledge Based Economy - Science City York'.	The section refers to other business sectors, beyond the scope of Science City York, so the new heading is more appropriate.	No change.
57	TR39	Member of the Public	Given the history of the building I think that the site should be redeveloped to containing some or all of the following: 1. A chocolate museum covering the history of chocolate and its production 2. A chocolate/ patisserie school for training 3. Small workshops for new businesses 4. A restaurant 5. Hotel Given the factory's location next to the Knavesmire it would make an excellent venue accommodation for race days. The site already has a large car park, which could remain in use. This would continue York's historic connection to the chocolate industry. It would also mean that we can smell the aroma of chocolate once more in the area.	These uses are included in the Brief as potential uses of the site.	No change.
58	TR33	York Racecourse	Para 4.10 suggested amendment: ...residential amenity. Any hotel shall include a link to the racecourse to maximise the conferencing/exhibition synergies. The hotel should have no conference facilities that compete with the racecourse. With this opportunity...	We encourage a hotel to compliment the conferencing offer of the Racecourse, but cannot require the hotel to not hold conferences.	No change.
59	TR40	Micklegate Ward Members	Potential uses - Nun Ings, para 4.2 page 17. This refers to improving the linkages across Bishopthorpe Road. Can we make it clear that we are referring to NCN 65, and add to this " including alternative better gradient routes down to the river". The current path is very steep at the bottom and clearly far too steep for disabled users - so the suggested new route in the last planning application was particularly helpful and we'd like to see it repeated in the future." (and in para 9.10)	This would make this section consistent with the requirements in section 9 to improve the NCN route in this location.	Amend paragraph 4.2 "and the National Cycle Network route 65 link toward the river should be explored".
60	TR40	Micklegate Ward Members	Class A3 uses. Can I suggest your new end sentence read "A3 use on the site, if carefully located relative nearby residential use, would". Given that A3 can sometimes bring noise & disturbance this needs careful handling.	This is addressed in the preceding sentence.	No change.

61	TR40	Micklegate Ward Members	Community facilities, para 4.15 page 20. The list here should also include (indoor) leisure facilities and community meeting space. See also later comments.	These are also potential community uses that could be suitable as part of redevelopment proposals.	Amend paragraph 4.15 to include (indoor) leisure facilities and community meeting space.
62	TR42	Member of the Public	P17 item 4.1 You mention the need to high quality large employment sites, are they really needed? What are B1 uses	The recently completed York Employment Land Review confirms that the Terry's site is a key component in the provision of employment land going forward, as did previous Employment Land studies produced for the Council to support the Local Development Framework. B1 use is "Business" and is defined as a) offices, other than a use with class A2 (Financial Services), b) research and development of products or processes, c) Light industry. Add to Brief "offices" after B1 for clarity.	No change.
63	TR42	Member of the Public	P19 item 4.9 Concern that this item doesn't really clarify what the range of production or warehousing could be or limits	These uses could be implemented without the need for planning consent, as they were the last use of the site. Limits are not set out for any of the uses, the Brief clearly states that an employment-led mixed use development is required. This allowed for flexibility within the design, environmental and traffic constraints highlighted in the Brief.	No change.
64	TR42	Member of the Public	P20 item 4.14 I think this is very important point	Noted.	No change.
65	TR42	Member of the Public	P20 item 4.15 Has an audit been carried out as there seems to be lot of confusion between what the council feel they need to provide for the local community.	No. The Brief highlights that there may be a need for community facilities but that this is dependant on the nature of the proposed development. This is therefore an issue to be negotiated with the developer.	No change.
66	TR42	Member of the Public	P21 item 4.17 What is the mix of dwellings local plan policy and has this been created with recent data.	Details of the Policy can be seen in the Local Plan. The policy does not specify the mix required, it states that "a mix of new house types, sizes and tenures will be required on all new residential development sites where appropriate to the location and nature of development".	No change.
67	TR42	Member of the Public	P21 item 4.18 to 4.21 I disagree with the councils view on the required mix of housing. I think wishing to create 2-3 bedroom housing with gardens is unrealistic taking into consideration the environmental impact this has and the land restriction. The reason people don't prefer flats is because traditionally the flats built here are of poor design and quality and not designed to accommodate a family but only the single or elderly part of the community. I think if better designs were created more family living spaces could be created in spacious apartment style dwellings, as they have been done on the continent which resolves a lot of the issues of a fragmented isolated community and environmental issues.	The Brief reflects the findings of the Strategic Housing market Assessment. This is approved part of the York Evidence Base.	No change.

68	TR42	Member of the Public	P21 item 4.23 What does social rented property mean in reality?	Available for rent via a Registered Social Landlord to those on the Council's housing waiting list. Further details are contained in Annex B of Planning Policy Statement 3: Housing.	No change.
69	TR44	Turley Associates	4.1 The changes to this paragraph are supported.	Noted.	No change.
70	TR44	Turley Associates	4.8 The changes to this paragraph are supported.	Noted.	No change.
71	TR44	Turley Associates	4.10 Tourism is a significant contributor to the York economy. The manifested in demand for hotel rooms. The racecourse is a major tourist attraction and contributor to the local economy in terms of both leisure use and business use, particularly for conferences and exhibitions. However, there are limited bed spaces in the immediate vicinity of the course. The potential for tourism/ hospitality related uses could be an important part of the employment offer on the site and should not be constrained. The implied restriction on more than one hotel on the site runs counter to the support for the visitor economy in paragraph 4.13. Five star hotel accommodation cannot be afforded by everyone. A high proportion of race goers and business users rely on the budget hotel market. GHT have entered into a contract with a budget hotel provider subject to the grant of planning permission. Delete third sentence of the paragraph which reads: "There will, however, need to be robust justification for anything over and above this within any proposed masterplan for the site."	The Council is keen to see high quality hotel on the site as a priority. There may be a case for an additional hotel. The developer would need to demonstrate the need for any additional provision and present a justification.	No change.
72	TR44	Turley Associates	4.12 The proposed change to the paragraph emphasising the importance of Class A3 uses the evening economy is supported.	Noted.	No change.
73	TR44	Turley Associates	4.13 The proposed changes to this paragraph supporting tourism and leisure proposals on the site are welcomed.	Noted.	No change.
74	TR44	Turley Associates	4.17 The type and amount of affordable housing that might be provided on the site – including how it will be distributed across the site - has yet to be determined. Reference to pepper potting of affordable housing at this stage is therefore premature. In the first sentence delete the words "...'pepper potted' within any agreed housing areas(s)."	Pepper-potting reflects the Council's intentions to create mixed and balanced communities and also wider government aims to tackle exclusivity. It is a central tenet of the City Council, and is listed as a clear aim in the Sustainable Community Strategy.	No change.
75	TR44	Turley Associates	4.22 Guidance in paragraph 29 of PPS3 is clear that the need for affordable housing in a particular area should be expressed as a target in Local Development Documents. Furthermore, that target should reflect an assessment of the likely economic viability of land for housing within the area. Likewise the Councils non statutory guidance on affordable housing refers to a target of 50%. This paragraph implies that 50% of all housing is required to be affordable. Delete the third sentence beginning "If the policy applies....." and replace with:"If the policy applies, a proportion of the total homes will be required to be provided as affordable units having regard to overall viability and to the Councils target of 50% and guidance in the Councils Affordable Housing Advice Note July 2005."	Paragraph 4.22 has already been approved following consultation and is not subject to change or representation. Agree that the CYC affordable housing policy is a target - this is set out in the brief. The tests of viability are set out in the Affordable Housing Advice Note, 2005, which is referred to in paragraph 4.25 of the revised brief.	No change.
76	TR45	Turley Associates	4.7 Point 3 There are no remaining clean rooms on site. Delete bullet point 3	Noted.	Amend paragraph 4.7 "Food Technology uses"
77	TR42	Member of the Public	I am concerned at the obsession with creating traditional housing when our society has changed dramatically in the last decades (no longer do we have a 2.5 family unit etc..)	The findings of the Strategic Housing Market Assessment have been reflected in the Brief.	No change.

78	TR46	Highways Agency	<p>Potential Uses (Pages 17-22)</p> <p>Knowledge Based Economy</p> <p>The main focus of development opportunities identified is largely around the knowledge based economy, as previously identified. Therefore, the intention is for grow-on space for businesses out of the Science Park incubators, which are complementary to the industry sector as a key use at the site. Research, education, skills development, food technology businesses for example are not likely to have particular peak hour dependant arrival and departure profiles and therefore would be beneficial for any traffic impact on the A64. Also, if linked to other uses at the site or near to the site, additional business trip making should be kept to a minimum. Therefore, the Agency would support these types of uses.</p>	Noted.	No change.
79	TR46	Highways Agency	<p>Headquarters and administration / offices</p> <p>A development of a 'Headquarters' status use is likely to result in more peak hour trips than other land use options identified in the Development Brief and will also have a greater number of visitors. Therefore, the Agency suggests that other uses would be more suitable at the site.</p>	Noted.	No change.
80	TR46	Highways Agency	<p>Business Tourism / Hotel / Conferencing / Leisure</p> <p>These types of uses would be complimentary to the adjacent York Racecourse and therefore would assist in reducing the number of additional trips to and from the site, and are less 'peak dependant' than other uses. Therefore, the Agency recommends that it is acceptable that these uses are promoted at the site.</p>	Noted.	No change.
81	TR46	Highways Agency	<p>Restaurant and cafes</p> <p>These types of uses would be beneficial in combination with employment uses on the site as it would provide employees with facilities to use on site for example, to avoid additional trips in and out of the site. Additionally, any trips associated with these uses are unlikely to have a significant impact on the A64. Therefore, the Agency would support these types of uses.</p>	Noted.	No change.
82	TR46	Highways Agency	<p>Major leisure attraction</p> <p>This type of use would to be a concern for the Agency, particularly in the summer months, as York is already a major tourist / leisure destination. The traffic flow on the A64 also increases in the summer months due to the tourism associated with Scarborough, and therefore, considering the location of the Terry's site, any major leisure attraction would add a significant amount of traffic on the A64. Therefore, the Agency would not support a major leisure attraction at the site.</p>	Noted.	No change.
83	TR46	Highways Agency	<p>Leisure to meet local need</p> <p>The Agency would support leisure uses for local residents providing the appropriate public transport and safe cycling and walking routes are established. Trips associated with these types of uses are less likely to impact on the A64.</p>	Noted.	No change.
84	TR46	Highways Agency	<p>Sports Stadium</p> <p>This type of use could be a concern for the Agency, depending on the scale and nature of the stadium. If the stadium is large enough to draw visitors in from areas other than York, an increase in traffic is highly likely on the A64 and therefore this would not be favourable to the Agency.</p>	Noted.	No change.
85	TR46	Highways Agency	<p>Community facilities</p> <p>The provision of local community facilities such as child day care or a medical centre would be an acceptable use on the site providing there were clear and safe walking and cycling routes and sufficient public transport access from local residential areas. Trips associated with these types of uses will be less likely to use the A64 and therefore would be supported by the Agency.</p>	Noted.	No change.

86	TR46	Highways Agency	Housing The Agency supports the development of a mix of employment and housing, in addition to local community facilities as this would assist in achieving the Sustainable Community Vision by reducing the need to travel.	Noted.	No change.
5. SUSTAINABLE DEVELOPMENT					
87	TR08	Member of the Public	Nothing has changed except it even more essential now that environmental issues are taken seriously. We don't want lip-service to 'green' provisions but real proposals.	The Brief contains extensive requirements for sustainability in the development (Section 5) and sets-out the requirement for a Sustainability Statement to be submitted with the application to demonstrate how these issues have been addressed.	No change.
88	TR36	Natural England	Sustainable Development Natural England expects any development of this site to be guided by the principals of sustainable development. The Development Brief lists 16 issues that should be addressed by the Sustainability Statement for the site. Natural England would encourage any developer considering a proposal for this site to also consider the following sustainable design features when formulating their proposal:	Noted.	No change.
89	TR36	Natural England	<ul style="list-style-type: none"> · Avoid plants/shrubs/trees requiring large amounts of water. Water planting only if required and with recycled water, avoiding the use of mains supplies and sprinklers. · Keep hard surfaced areas to a minimum in favour of porous surfaces thus slowing the rate of run-off to existing watercourses. · Use energy efficiency as a major driver for the design of new buildings. · Sustainable heating, ventilation and cooling systems should be employed. · Maximise the use of natural light without the negative effects of solar gain. · Ensure an airtight construction and adequately controlled ventilation. · Provide more than adequate insulation. · Design in alternative energy sources such as 'Biomass' boiler systems. · Source materials locally, reducing delivery journeys and supporting the local economy. <p>Ensure contractors do likewise by examining their supply chains.</p> <ul style="list-style-type: none"> · Use reclaimed materials where possible. · Incorporate durable materials and products that have low impact in terms of environmental damage. 	All these points are covered by CYC IPS: Sustainable Design and Construction and especially through the IPS's requirement to achieve either a BREEAM rating of at least a Very good for commercial developments or at least level 3*** Code for Sustainable Homes.	No change.
90	TR37	Conservation Area Advisory Panel	The panel felt that Para's 5.7 and 5.9 adequately refer to sustainable design and construction techniques to address the eco-homes issue.	Noted.	No change.
91	TR40	Micklegate Ward Members	Our key comments about the revised brief are that the wish to make this an exemplar development including specifically in sustainability terms means that the emphasis on a low traffic generating development needs strengthening further.	Noted.	No change.
92	TR40	Micklegate Ward Members	Para 5.8 - needs altering as it still refers to the superseded emerging RSS.	Noted.	See response to comment 93.

93	TR42	Member of the Public	P24 item 5.8 It seems the amounts of energy efficiency levels are very small, should we not be pushing for this site to be much more energy efficient and recycling a larger percentage.	The text needs to be amended to reflect the current Regional Spatial Strategy Policy. Some other minor amendments are needed to this section to ensure it is accurate.	Amend paragraph 5.8 - delete emerging from 1st sentence. Replace 2nd sentence with - "...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". Amend paragraph 5.3 - "modern sustainable integrated transport network". Amend paragraph 5.4 - add "Ecological and Carbon Footprint" and remove "and carbon footprint" at the end - it is not required here. Amend paragraph 5.5 - "The promotion of sustainable development and the creation of a low carbon city". Amend paragraph 5.7 - "York's ecological and carbon Footprint".
94	TR44	Turley Associates	5.8 The Regional Spatial Strategy was published in May 2008. Policy ENV5 in RSS has been amended to remove the requirement for on site energy production. Delete the text at paragraph 5.8 and replace with "Cognisance should be taken of the Regional Spatial Strategy Policy ENV5. This contains requirements for energy efficiency and for large schemes to 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."	As above.	As above.
95	TR44	Turley Associates	5.10/ 5.11 The list of issues and requirements set out in this paragraph are woolly and are difficult to reference back to published guidance. If the list refers to topics in the Councils Interim Planning Statement: Sustainable Design and Construction 2007 that that should be adequate as a source. Delete paragraphs 5.10 and 5.11 and replace with "The Sustainability Statement should take account of the requirements set out in the approved Interim Planning Statement: Sustainable Design and Construction 2007. Developers are advised to liaise with the Councils Sustainability Officer at an early stage in the formulation of their proposals."	The list provides a non-exhaustive list which does cover the main issues of IPS. However it is important to draw such issues to the developer at the earliest stages and should remain in the document with reference to the IPS for full guidance.	No change.
96	TR45	Turley Associates	5.10 Point 5 Air source heat pumps should also be included in this list. If our original suggestion for paragraph 5.10 are not accepted include reference to air source heat pumps in bullet point 5	Agree - this is a viable renewable option.	Add to list in 5.10, section 5 after the words ground source so as to read - 'Renewable energy generation such as ground source/ air source heat pumps,
97	TR46	Highways Agency	Sustainable Development (Pages 24-25) The Agency suggests that it would be beneficial if the Development Brief identified the encouragement of sustainable technologies within any development proposed on the site, which allow for video-conferencing with high speed connections for example or innovative solutions to local business trip making such as electric cars. This would emphasis to developers the need to achieve the Sustainable Community Vision at the site and for York.	Noted and welcomed. Section 5.10 relates to many sustainable technologies within the development - although not video conferencing nor other 'non-regulated Building Regulations' aspects. We could encourage the use of energy efficient appliances and technologies, but there is no statutory legislation to enforce this.	No change.

6. LANDSCAPE AND NATURAL ENVIRONMENT

98	TR26	Micklegate Planning Panel	Para6.41: We are unclear about the reasons for the change here. Would it be possible to clarify what is meant by "renovating the garden to suit its new situation"?	The original text (struck through in the latest revision) could be reinstated as well as the revised text to provide a fuller picture. The intention of the latest paragraph was to reinforce the point that this park was laid out for the factory workers. With the introduction of a mixed use development, it's potential appeal and usage would increase. There are currently no basic facilities within the garden such as seating; and the central fountain has not been in use for some time. The garden therefore is not currently put to its full potential. Therefore the entire paragraph 6.41 could be amended.	Amend paragraph 6.41 – "The area of formal open space in the south east corner of the site, should be retained and enhanced. The garden, which was laid out in the 1930's, is part of the historic factory complex. The integrity of the existing garden should remain intact, but there is a need to adapt/renovate it to suit its new situation in order to broaden its appeal to an introduced population of potentially different ages and occupations. Any changes should respect the essential setting and character of the space, which is one of three key spaces identified in the Conservation Area Appraisal."
99	TR36	Natural England	Ecology - Fulford Ings SSSI is in close proximity to this site. Although the SSSI is not directly linked to the Terry's site and is unlikely to be negatively impacted by direct effects its development, it is close enough to be impacted indirectly by construction dust and pollution. Natural England would expect the SSSI to be fully considered at all times during the formulation of proposals for the Terry's site.	Dust from the development should be suitably controlled by proper management of the site during construction., such that the SSSI shouldn't be affected. If planning approval were granted then a condition to control dust should be requested. This would most likely be through a Construction Environmental Management Plan (CEMP).	No change.
100	TR36	Natural England	Natural England would expect an Extended Phase 1 Habitat Survey of the site to be conducted prior to the submission of any planning application for the Terry's site. This survey may highlight requirements for further survey work, e.g. a reptile or amphibian survey, which should also be submitted along with any planning application.	Agree. Section in Brief needs to be amended to provide greater clarity.	See paragraphs 6.44-.648 for amendments.
101	TR36	Natural England	The Design Brief indicates that prospective developers are advised to have existing buildings and site trees checked for signs of bat activity. Natural England endorses this approach, but would also advise prospective developers to extend the bat survey to investigate bat activity across the entire site and its surroundings in order that an understanding of bat use of the site can be gathered. A bat activity survey would help inform development decisions that may impact on the species and could be useful in the design of any mitigation measures that may be required.	Agree. Section in Brief needs to be amended to provide greater clarity.	See paragraphs 6.44-.648 for amendments.
102	TR36	Natural England	Hydrology Natural England endorses the inclusion of a Sustainable Urban Drainage System in any proposal for this site. The SUDS should not only seek to provide drainage solutions, but should also be designed with the provision of wildlife habitat in mind.	Noted. Revised section of Hydrology has been drafted to reflect Environment Agency requirements.	See response to comment 104.

103	TR36	Natural England	<p>Green Infrastructure</p> <p>Natural England expects the inclusion of high quality green spaces designed and managed as multifunctional resources capable of delivering both ecological and quality of life benefits. The design of such spaces should respect and enhance the character and distinctiveness of the area with regard to habitat and landscape types. Well designed green spaces should thread through and surround the built environment, and should seek to link newly created areas with existing areas of natural habitat and open space to facilitate the movement of wildlife between sites. Prospective developers of the Terry's site should facilitate links between areas of public open space and public routes that may exist nearby, as well as incorporating extensions of these routes into green spaces on the site. The key principals of PPS9 – Biological and Geological Conservation should be followed by ensuring that areas of public open space also provide habitat for native wildlife. The possibility of including the SUDS system mentioned above into the green space should also be investigated.</p>	Agree.	Include as an additional paragraph under 'Landscape Framework' as 6.20. Also make reference to the Council's emerging Green Infrastructure SPD.
104	TR25	Environment Agency	<p>Flood Risk: We would require a detailed drainage strategy, based on sustainable drainage principles, for this site. This should accompany any planning application for the site. It should be confirmed that York Council's Drainage Engineers are satisfied with the proposed scheme. We would expect to see a proposed reduction in existing surface water run off rates on the site, to take into account the affects of climate change.</p>	Amend Brief to reflect the updated requirements of the Environment Agency and to reflect the change of policy in PPS25 (this is an oversight in the revisions to the Brief).	See the revised Brief for changes - paragraphs 6.49 to 6.53 and Plan 6 Flood Risk.
105	TR25	Environment Agency	<p>Support for the SUDS approach to managing surface water run-off is set out in paragraph 22 of Planning Policy Statement 1 (PPS): Delivering Sustainable Development and in more detail in Planning Policy Statement 25: Development and Flood Risk at Annex F. Paragraph F8 of the Annex notes that "Local Planning Authorities should ensure that their policies and decisions on applications support and complement Building Regulations on sustainable rainwater drainage".</p>	As above.	See response to comment 104.
106	TR25	Environment Agency	<p>Further information on SUDS can be found in:</p> <ul style="list-style-type: none"> · PPS25 Annex F · the PPS25 Practice Guide · the CIRIA C522 document Sustainable Drainage Systems-design manual for England and Wales · the CIRIA C697 document SUDS manual · the Interim Code of Practice for Sustainable Drainage Systems. The Interim Code of Practice provides advice on design, adoption and maintenance issues and a full overview of other technical guidance on SUDS. <p>The Interim Code of Practice is available on both the Environment Agency's web site at: www.environment-agency.gov.uk and CIRIA's web site at www.ciria.org.uk</p>	As above.	See response to comment 104.
107	TR25	Environment Agency	<p>Groundwater & Contaminated Land: We would recommend that a preliminary risk assessment is undertaken for this site to identify all previous uses, potential contaminants associated with those uses, potentially unacceptable risks arising from contamination at the site, and a conceptual model of the site indicating sources, pathways and receptors should be provided.</p>	Noted. These issues are adequately addressed in the Brief as revised.	No change.
108	TR25	Environment Agency	<p>As a result of the findings of the preliminary risk assessment a scheme for site investigation should be submitted, a remediation strategy would need to be undertaken, and a verification plan provided. This is necessary as the site is situated on the Sherwood Sandstone, a Major Aquifer and in close proximity to the River Ouse.</p>	Noted. As above.	No change.
109	TR25	Environment Agency	<p>We would also recommend a number of planning conditions to protect controlled waters near the site; these would cover unsuspected contamination, restriction of infiltration, and piling.</p>	Noted. As above.	No change.

110	TR25	Environment Agency	<p>The following informative advice should be provided to the applicant: The Environment Agency recommends that developers should:</p> <ol style="list-style-type: none"> 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 for more information. <p>Contaminated soil that is excavated, recovered or disposed of, is controlled waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which includes:</p> <ol style="list-style-type: none"> i.) Duty of Care Regulations 1991 ii.) Hazardous Waste (England and Wales) Regulations 2005 iii.) Waste Management Licensing Regulations 1994 (as amended) iv.) Pollution Prevention and Control Regulations (England and Wales) 2000 v.) Landfill (England and Wales) Regulations 2002 	Noted. As above.	No change.
111	TR25	Environment Agency	Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed off site operations is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.	Noted. As above.	No change.
112	TR37	Conservation Area Advisory Panel	The panel considered that the bund and the trees provide a good visual and sound barrier, as well as a pollution and physical barrier for young children. The panel suggested the possibility of altering a small portion of the bund on the corner with Bishopthorpe Rd to increase permeability and views to and from the development site.	Noted.	No change.
113	TR40	Micklegate Ward Members	Landscape & Natural Environment (page 26 on) Para 6.1 5th line should read "This allowed the ..." reflecting the historic issue as we outlined above.	The function of the site and its relationship with adjacent areas has changed.	Amend paragraph 6.1 and paragraph 7.4(18) add to last sentence "with new development being significantly lower".
114	TR40	Micklegate Ward Members	Para 6.8 3rd line should read ".... from the A64, NCN 65, and the river Ouse."	Agree, these are also key public vantage points from which the site is visible.	Amend paragraph 6.8.
115	TR40	Micklegate Ward Members	Paras 6.7 to 6.10 add additional paragraph referring to the important views from the racecourse stands.	See response to comment 17.	See response to comment 17.

116	TR40	Micklegate Ward Members	Page 6.20 We'd argue how "attractive" the screening belt of trees is - actually at this time of year its heavy and oppressive. Suggest rephrase along the lines that the presense of such a substantial set of trees in what is an otherwise pretty treeless area is very important, though there are amixed views about the current species choice which is heavy and dense and darkens Campleshon road considerably over much of its length.	I agree there are sections of the boundary that are dark and slightly oppressive, e.g. the band of conifers on Bishopthorpe Road and the group of conifers and laurel on Campleshon Road. This highlights the need to do a visual analysis of which sections of tree cover should be retained and which could be removed or replaced. Insert 'generally' into first sentence thus 'by the generally attractive belt of trees...' Agree to include suggested text, plus some more to clarify the variations in quality and function of tree cover.	Amend para 6.20 - see Brief for amendments (too long for table).
117	TR40	Micklegate Ward Members	Page 6.22 We are concerned about the test of 'overwhelming' for opening up gaps. 'strong' perhaps, but not overwhelming, given some of the issues flagged above in terms of the current belt, and being able to properly integrate any new residential community on the Terry's site with those beyond. However we would absolutely support that any trees lost should be replaced with equivalent planting of substantial, if more varied, forest trees.	Agree.	Amend paragraph 6.22 - Exchange 'overwhelming' for "considerable benefits to the surrounding community and the general environment". And add similar text to that suggested "Any trees lost should be replaced with a similar quantity of mixed tree planting in such a way as to protect or enhance the existing street character and improve the landscape infrastructure within the site and connectivity to the surrounding areas".
118	TR40	Micklegate Ward Members	Finally our sense from the community consultation events over the last few months is that a more flexible approach needs to be taken regarding the bunding on the north east side edge of the site. It's previous function of protecting the adjacent residential community from the deeply unattractive sheds is likely to disappear if this part of the site is altered to residential or community uses. It's trees are largely very heavy and dense conifers which make Campleshon avenue quite dark and in places almost oppressive.	This comment gives the false impression that the majority of the trees are conifers. This is not the case, but it highlights how overpowering they can be. Para 6.26 mentions this high proportion of conifers and encourages a more balanced mix of species. See also suggested text under No.116.	See response to comment 116.
119	TR40	Micklegate Ward Members	Para 6.41. Feel should retain some of the previous text outlining the history, role & key features of the formal garden.	The historic context to the space is an important consideration and is a important element of the character of the Conservation Area.	See response to comment 98.
120	TR40	Micklegate Ward Members	Para 6.49. In describing the flooding issues in the area, should also mention that the Knavesmire to the west and Knavesmire Road, given it's meant to be the prime access from afield to the site, flood (are in the HIGH risk area). Pertinent to later comments.	Agree.	See response to comment 104. Paragraph 6.49 amended.
121	TR42	Member of the Public	P34 item 6.49 Percentages seem very low, although the site may not flood it is now a reality that the river access will flood at least 3 times pa and provision for this needs to be made.	Section has been revised to bring it up to date - see response to comment 104. Development will not be acceptable on the area most liable to flooding. The development will be subject to a Flood Risk Assessment.	See response to comment 104.
122	TR43	Member of the Public	Special emphasis should be placed on keeping the existing trees and vegetation.	Section 6 of the Brief sets out clear requirements for the retention of existing trees and vegetation. An area of trees to the north and east boundary of the site is subject of a Tree Preservation Order.	No change.

123	TR44	Turley Associates	6.13 There is no intention on the part of the owners to return the car park on the east side of Bishopthorpe Road to pasture. References to this, even as a possibility, are misleading and confusing to the general public. Delete paragraph 6.13 and replace with "Efforts should be made to soften the impact of the car park, especially from Bishopthorpe Road. The street scene would also benefit from the removal or relocation of the security fencing away from the road edge."	The development brief precedes design proposals for the site, therefore there is no reason why this cannot be presented as an option since the same paragraph also refers to measures to be taken should the car park be retained. To remove this sentence would go against previous consultations with e.g. YNEP.	Amend paragraph 6.13 - change the second sentence to "The most beneficial option for the site's landscape would be to return it to pasture, but it is likely that since the car park is already in existence it would be retained for this use". Agree with suggested wording to replace last two sentences - "Efforts should be made to soften the impact of the car park, especially from Bishopthorpe Road. The street scene would also benefit from the removal or relocation of the security fencing away from the road edge".
124	TR44	Turley Associates	6.14 Paragraph 6.14 in large part repeats advice in PPG2 Green Belts. Reference to this guidance is already included under the heading of planning policy. Repeating it adds unnecessarily to the length of the brief and detracts from the key principles in the brief. We recommend that paragraph 6.14 be deleted.	Other planning policies are referred to throughout the brief where they have a particular relevance to reinforce the text. Therefore, no reason why the text should not be retained.	No change.
125	TR44	Turley Associates	6.22 This paragraph sets out a requirement for any scheme to retain the mounding – presumably along Cambleshon Road. Bishopthorpe Road. However, this conflicts with the advice further on in paragraphs 6.24 and 6.25 that implies that removal of some or all of the mounding may be acceptable. The use of the words "...overwhelming benefits..." in the proposed changes to this paragraph further reinforce the presumption that the mounds should be retained. Paragraph 6.25 rightly requires that removal of any trees or mounding should be part a comprehensive approach to landscaping and its management across the whole site. Paragraph 6.22 is therefore confusing and unnecessary. We recommend that paragraph 6.22 be deleted.	See response to comment 117.	Amend paragraph 6.22 - second sentence - "Therefore development of the site would generally need to retain these earthworks if it were to avoid substantial tree loss". See response to comment 117 for remainder of text.
126	TR44	Turley Associates	6.28/ 6.29/ 6.30/6.36/6.37/6.38/6.39 These paragraphs contain detailed technical advice that adds unnecessarily to the length of the brief and detract from the key principles the brief is trying to put forward. We recommend that paragraphs 6.28 – 6.30 be deleted, and include in a separate technical appendix.	These are basic principles that should be considered throughout the design process.	No change.
127	TR45	Turley Associates	6.9 The masterplan process will be the most appropriate way to arrive at the agreed scheme for the site, including the treatment of boundaries. Recommendations as to what boundary treatment should be adopted are therefore premature at this stage. Delete last sentence and replace with "The masterplan will determine the required level of additional planting, if any, to provide additional screening along this boundary."	Agree that the trees do not necessarily need supplementing, but a tree belt does need retaining in perpetuity along the southern boundary, and this may be subject to management and/or supplementary tree planting. The point of this paragraph is to ensure that the views from the south are protected. The apron of trees and height of buildings are key to this protection. The trees are likely to provide a setting function and not necessarily a strictly screening function once the warehouses are removed, therefore I would advise not to use the word 'screening', which suggests an impervious barrier.	Amend paragraph 6.9 - revise the second half of last sentence to – "...up to a certain height; and a belt of trees would need retaining. The masterplan will determine the required level of management and/or additional planting to maintain the quality of the views".

128	TR45	Turley Associates	6.19 This paragraph gives the impression that the listed buildings are currently surrounded by open space which is not the case. The brief should clarify that the listed buildings are not surrounded by open space and that the masterplan will determine the most appropriate treatment for the spaces around the buildings	Disagree that this gives the impression that the buildings are currently surrounded by open space. The paragraph refers to 'proposed' spaces. It may be better to remove the additional word 'spaces' since landscape is all encompassing anyway. Similarly, the final sentence could start with 'The landscape' instead of 'The open spaces', which suggests openness is the only thing that will connect the old and new.	Amend paragraph 6.19 accordingly.
129	TR45	Turley Associates	6.32 The masterplan process will be the most appropriate way to arrive at the agreed scheme for the site, including the treatment of boundaries. Recommendations as to what boundary treatment should be adopted are therefore premature at this stage. Delete paragraph and replace with: "Views of the west boundary across the Knavesmire are important. The masterplan will inform an appropriate planting regime for this boundary.	The trees along the western boundary play an important role in the setting of the conservation area and views from the Knavesmire towards the site. Thus these trees (and possibly new tree planting) will help to sit the new development within a treed landscape; this is an important aspect of protecting the character of the conservation area. To this end the second half of this sentence is correct. The revision suggested by Turleys identifies the importance of the views, and the possibility for more planting, so does not conflict with this paragraph; it also suggests that some planting is necessary therefore I see no reason to change this paragraph, with amendments.	Amend paragraph 6.32 - "Provision should be made for some new tree planting along the western boundary to sit new development in a treed landscape as viewed across the Knavesmire and race course in order to protect the character of the conservation area".
130	TR45	Turley Associates	6.33 The intention of this paragraph is unclear. Delete paragraph and replace with "Streets should be designed in accordance with guidance in Manual for Streets."	This paragraph was added partly in response to the previous application that showed excessive on-street parking with little attention to quality of street scene. Reference is then made to the Manual for Streets to provide more guidance. I agree it is probably sufficient simply to refer to Manual for Streets as suggested.	Amend paragraph 6.33 accordingly.
131	TR45	Turley Associates	6.35 Building distances to trees should be provided in accordance with the prevailing British Standards and not in an arbitrary fashion. Delete remainder of paragraph after first sentence and replace with "Setbacks from existing trees should be determined in accordance with the appropriate British Standard	Agree to replace after first sentence.	Amend paragraph 6.35 - after first sentence - "Setbacks from existing trees should be determined in accordance with guidance given in the current British Standard 5837 'Trees in Relation to Construction'".

7. BUILT ENVIRONMENT

132	TR12	Police Architectural Liaison Officer, Safer York Partnership	I have just received a copy of the revised development brief for the Terry's Chocolate Factory site in York. I have read through the document and noted the section at 7.5 on the promotion of Crime Prevention and a requirement on a developer to demonstrate how crime prevention measures have been considered in the design process. I note the amendment making reference to GP3 (Planning Against Crime) of the draft Local Plan. I welcome these inclusions and have no other comments to make other than hope that early consultation will take place with the Police Architectural Liaison Officer prior to any planning application being submitted for this site.	Noted.	No change.
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133	TR26	Micklegate Planning Panel	Para 7.4: Height of buildings: We are concerned that the Clock Tower and the main factory must remain the dominant features in any proposed redevelopment. In view of this, consideration should be given to limiting the height of other buildings on site.	The Brief requires views of the taller buildings to be retained - see the Objectives in Section 1 and the Design Principles in Section 7. Setting a maximum height may be counter-productive and encourage a proposal built-up to the stated maximum.	No change.
134	TR35	York Civic Trust	4. Detrimental impact on Tadcaster Road Conservation Area We have already dealt with this above.	Noted.	No change.
135	TR35	York Civic Trust	5. Detrimental impact on the setting of listed buildings. Our comments above on the Racecourse/Terry's Conservation Area hold good here. The developers really need to be given more detail regarding the ways in which the Council perceives the importance of the listed buildings and the material is in the Conservation Area Appraisal to enable some effective drafting in the brief.	Agreed that relevant parameters should be highlighted, especially the recently completed Conservation Area Appraisal. See responses to 14, 16 & 17 above. Further guidance might be considered too prescriptive as the site is large and complex and a number of inter-related development options require testing against the parameters.	See responses to 14, 16 and 17.
136	TR35	York Civic Trust	6. Detrimental impact on landscaping. The brief is rather more explicit about trees and planting than it is about buildings. We note that the section on landscape precedes the section on the built environment. To our minds, this introduces a curious bias. The open space is undoubtedly important as an amenity but it carries no designations, unlike the built environment with its many listed buildings and conservation area status. A clearer signal would be sent to developers if the built environment issues were considered before landscapes. This is not to say that open space is unimportant – in fact we would also stress the importance of carefully designing open space to relate closely to the buildings and their use. The two elements of structures and landscape need to be carefully balanced so that they reinforce the overall design concept and enhance one another.	This is an edge of City location surrounded by Green Belt and the landscape provides the wider framework for development. The order of the sections can be argued both ways. As long as all of the principles to guide the development are contained in the Brief, the order of the sections is a secondary concern that would create more confusion than its worth.	No change.
137	TR35	York Civic Trust	7. Inappropriate location of residential development. This brings us back to our initial concern about the attempt to dilute the brief which leads inexorably to an over-development of the site. We agree, however, that there is currently unmet demand for 2 and 3 bed houses rather than flats, but we note that the requirements for Affordable Housing are optimistic in the current economic climate.	There is no attempt to dilute the brief. The revised key design points set out in paragraph 7.4 give clearer guidance. Agree that there is a large need for 2 and 3 bed houses (re. SHMA). The 50% affordable housing is a target which will be subject to detailed assessments of site viability.	No change.
138	TR35	York Civic Trust	8. Insufficient information regarding design elements. In our view, this problem nests within the broader issue of insufficient attention to the detail of the historical specifics of the built environment in the brief, which is one of our two major concerns. The proposal at para 4.10 for a high quality hotel, for instance, is not clearly explored in the brief. What would be the implications for traffic management and car parking (5* hotel guests rarely arrive by bicycle or public transport). Does the proposal envisage a new building, and if so, what would be the design principles? Or is the council suggesting the re-use of one of the factory buildings. The ambiguity may be intentional here, but it is likely to lead to misunderstanding in the interpretation of the brief. The design principles set out in Section 7 are capable of a wide range of interpretations. To a degree, the difficulties here arise from the decision to accept a hybrid application, part outline, part detailed.	It is agreed that several sections of the brief should be amplified to include specific references to important documents, especially the Cons Area Appraisal. The implications for design work should also be set out – please see comment at 135 above. Otherwise it is considered pre-mature to specify the location of functions when many factors have to be weighed in the balance in a masterplanning exercise. Where some value can be demonstrated, such as in community related uses, suggested locations have been mentioned in the brief.	No change.

139	TR35	York Civic Trust	A response now might be to be more specific about the status of the application and clearer about the historical determinants of the contemporary design and the demands of the listed buildings themselves when conversions are made. For instance, the overall character of the site must dictate an approach to the heights of buildings. This aspect is discussed in the section on Views (paras 6.7 – 6.10) but in a rather vague way: para 6.9 states that 'built development is possible in this quarter up to a certain height' (our italics). WE would argue that this aspect needs to be carefully controlled in the early discussions and not left until an application is submitted, when it becomes much more difficult to deflect a project into a different approach. Officers should be careful to insist on a level of detail that will enable them to make an informed judgement on the proposal.	There are consequences of specifying a maximum height line and therefore we have only suggested strengthening the distinction between the tall buildings and the remaining development. The level of detail in the application has been a matter for discussion and we are in agreement about having a new approach. English Heritage, the consultants and ourselves have been looking at other models used for complex sites. The idea of using a detailed development specification, such as the one used at King's Cross, is being explored. This would set out the maximum parameters for alterations to the listed buildings in advance of their being identified end-users. The listed building consent applications would follow in due course. Similarly more detail will be required to comply with policy HE3.	See response to comment 17.
140	TR35	York Civic Trust	9. Secure by Design. The relationship of Secure by Design principles with conservation design principles is yet to be clearly analysed but we would note that security is a critical aspect of the site and less intrusive security measures can be, the more successful in terms of the historic environment.	Noted.	No change.
141	TR35	York Civic Trust	In conclusion, York Civic Trust believes that the best approach to this site would be to require a Master Plan showing a layout and indicating uses and heights. If this can be shown to address the infrastructure and Conservation Area issues addressed in your refusal letter, then the process could proceed to the design stage taking account of the listed buildings, views, archaeology, landscape features and access arrangements. The Conservation Area Appraisal needs to be central to this exercise and a clear message on uses, the requirement to avoid overdevelopment and the importance of sensitive design need to be signalled at this early stage of setting the brief.	Noted. This accords with the revised development brief and the procedure laid down in para 3.18 onwards "Developing proposals".	No change.
142	TR33	York Racecourse	Prior to any specific comments, we set out some of the points discussed with Grantside during the determination of their earlier applications. The key opportunity for the racecourse and the City offered by the redevelopment of the Terry's site is the ability to improve and consolidate the non-raceday business and offer flexibility on racedays for greater freedom of movement. As part of the prior application, the Racecourse and Grantside had extensive discussions which demonstrated a physical link was feasible and achievable. On this basis we think some aspects of the planning brief could be strengthened. We also note the the Consultation Event indicated that improved physical links to the racecourse would be beneficial which would also facilitate wider public access to the Knavesmire from the east.	See response to comment 143.	See response to comment 143.
143	TR33	York Racecourse	Page 36 Para 11 - we think that a physical linkage should be a requirement rather than an aspiration as we know it is deliverable and has clear benefit. The suggested amendment to Para 11 as follows: Any planning application shall include a physical link to the racecourse maximising the public realm for both sites. It should take account of the opportunity of the hotel guest accessing the conference/exhibition facilities, the implications for racedays and general public access to ensure the integration of the two sites is maximised.	There can be no actual requirement as the link is dependent on negotiation with a landowner outside the site boundary. However, the good intentions of the racecourse are noted - which reflect that of the Council.	In paragraph 7.4 (11) after "...as well as visual" add ", taking account of the opportunity of hotel guests accessing the conference/ exhibition facilities, the implications for race days, and general public access to ensure that integration of the two sites is maintained and enhanced."

144	TR37	Conservation Area Advisory Panel	The panel considered traffic generation issues relating to proposed development of the site. The impact of additional traffic on Knavesmire Road and Tadcaster Road was discussed. AS stated that there is no reference to the Tadcaster Road Conservation Area in the revised brief and she felt it should be included.	The implications of traffic impact on Tadcaster Road and other areas are mentioned in the Transport Assessment section 9.17. This section should be amplified.	Amend paragraph 9.17 - Add at end "Any mitigation work affecting the conservation areas of Tadcaster Road and Bishopthorpe should be carefully designed, in liaison with relevant officers from DCSD, and subject to public consultation".
145	TR40	Micklegate Ward Members	Built Environment (page 35 on) Design Principle 8. Maintaining hidden nature of the site - needs qualifying in terms of our comments on integrating any new residential and community facilities in the existing community.	Agree.	See response to comment 148.
146	TR40	Micklegate Ward Members	Design Principle 10. Could do with a specific additional reference to the Bishopthorpe / Campleshon Road corner as a potential pedestrian access point and for community facilities?	Links and shared facilities are covered under principle 14. Do not need to specifically prescribe the corner as a definite point of entrance/community use.	No change.
147	TR40	Micklegate Ward Members	Design Principle 14/5. Another key design principle should be that entrances and internal access routes should focus around prioritising well observed pedestrian and cyclist access, and making car access secondary in terms of encouraging sustainable transport choice.	This accords with the transport hierarchy set out in the brief (para 9.1) and also para 9.7 onwards.	Amend paragraph 7.4(15) - Add "The public realm should be designed primarily for pedestrians, then to facilitate cycling".
148	TR44	Turley Associates	7.4 Point 8 Point 10 The advice that the development should maintain the hidden nature of the site (point 8) and be inward looking (point 10) is setting pre-conceived ideas in place rather than allowing a proper urban analysis of the site determine the most appropriate response. It also conflicts with the advice in points 12 and 14 and paragraph 8.2 that careful consideration should be given to the nature of the links and relationships with the surrounding areas. We recommend that points 8 and 10 be deleted.	Agree that maintaining hidden nature of the site is not necessarily appropriate when trying to connect with surrounding developed areas. The emphasis is para 10 should be maintained as the brief stipulates that this can be reviewed if other benefits can be demonstrated.	Amend paragraph 7.4(8) to "Designs should maintain the leafy character of the site boundary which acts as a bridge between town and country".
149	TR44	Turley Associates	7.4 Point 11 Creating a physical link to the racecourse will involve land outside of the control of GHT. These land ownership constraints need to be acknowledge in Point 11. Delete point 11 and replace with "Consideration should be given to creating a physical link to the link to Racecourse recognising the potential land ownership constraints to achieving this."	See comments under 143 above.	See recommendation under 143 above.
150	TR44	Turley Associates	7.4 Point 13 The masterplan process will be the most appropriate way to arrive at the agreed scheme for the site, including the treatment of boundaries. Recommendations as to what boundary treatment should be adopted are therefore premature at this stage. We recommend that the last sentence of Point 13 be deleted.	Agree to omit last sentence, but keep reference to trees in para. 6.32 (see note 129 above).	Amend paragraph 7.4(13) accordingly.
151	TR44	Turley Associates	7.4 Point 28 Works to the listed buildings will to a large extent be dictated by the end users for those buildings who are as yet, unknown. Replace Point 28 with "Proposals for the repair and conversion of listed buildings should be brought forward in when end users for those building have been identified."	The majority of the listed buildings are currently empty and therefore "at risk". It may be perceived that the conversion and repair costs of the listed buildings make them a less attractive prospect for development than new build. It is important to secure the buildings before the rest of the site is developed.	Amend paragraph 7.4(28) - Change existing sentence to "A phased and detailed programme of works should be agreed with the LPA. This must allow for repair of the listed buildings to prevent their deterioration pending end-users being found".
152	TR45	Turley Associates	7.4 Point 12 The masterplan process will be the most appropriate way to arrive at the agreed scheme for the site, including the treatment of boundaries. Recommendations as to what boundary treatment should be adopted are therefore premature at this stage. Delete point 12.	The first half of the first sentence is a somewhat separate point to the rest of the paragraph and is also included elsewhere. Therefore I suggest first sentence could be a less specific separate point.	Amend paragraph 7.4 (12) - "A belt of trees should be retained along the southern boundary . Please also see 6.20 and 6.22 for other trees around the site".

153	TR47	English Heritage	5 at Section 7 Built Environment we are supportive of the Design Code approach (7.4.1) and also support strongly the statements at 7.4.4, 18, 19 and 28. However we would prefer some aspects of these statements to be prescriptive. For example, at 7.4.28 about phasing, "should" ought to read "must" in order to convey to developers that this is an important matter at the site. In addition whilst there is a section on archaeology there isn't one for Listed Buildings and their setting which we consider imperative if the design principles are to be effective.	Noted.	See response to comment 151.
8. LOCAL COMMUNITY					
154	TR13	Member of the Public	Environmental issues must be addressed thoroughly in the brief and should restrict the amount of space within the site that should be developed, leaving grass land, park land or community land rather than every inch of ground being developed! As is now being considered environmental receptors being used throughout the local community.	Open space requirements for the site are set out in the Brief (section 8) in line with Local Plan policy.	No change.
155	TR40	Micklegate Ward Members	Also the community contribution needs strengthening in regard to Knavesmire schools educational need for dedicated playing field, other community (indoor) leisure use and meeting space.	See response to 157 below.	See amendments under 157 below.
156	TR40	Micklegate Ward Members	Local Community (page 40 on) Para 8.3 2nd sentence should read "...open space, education and other leisure & community facilities."	Agree.	Amend paragraph 8.3 accordingly.
157	TR40	Micklegate Ward Members	Para 8.8 Is not up to date. We think the 4th sentence should read "... use the Knavesmire for some occasional activities, when its dry, .." and you need to add a new sentence saying "Sporting activities are usually carried out on the racecourse field (Car park C) immediately to the north west of the site.". The current 5th sentence needs to acknowledge that the MUGA is now operating, but it's hours of use are restricted because of its close proximity to nearby residential property. The seventh sentence should read "... to explore the need to provide dedicated outdoor sports provision for both the school and the wider community."	Agree Para 8.8 needs to be updated to reflect these issues. Para 8.7 needs to be updated to reflect the new draft SPG. Para 8.9 and the contacts appendix (5) needs to be updated to reflect the Officer's new job title.	See Brief for amendments.
158	TR40	Micklegate Ward Members	Para 8.13 is a bit of an understatement. The sports field provision is primarily the little Knavesmire, which as I've previously pointed out is a high flood risk zone. It's poorly drained, and the pitches have actually had standing water on them for several months now this year, so simply do not form the potential for any reliable and credible all year round provision. this needs making much clearer so we do not get fobbed off with an off site contribution to an irredemable provision.	Para 8.13 is accurate. There is no underprovision for adult sport, the under provision is for junior pitches, The para could be amended to reflect this, but directing developers to contact the sport & active Leisure team to discuss is sufficient. As there are so many pitches in the area, all with flooding problems taking an off site contribution towards a pitch and changing room project that is currently under development makes sense.	The brief has been amended to reflect the current policy position with regard to the approved PPG17 Study - see paragraphs 8.10-8.17. The Study includes a comprehensive audit of open space and should be referred to when considering open space needs for this area of the city.
159	TR40	Micklegate Ward Members	Para 8.14 should read ".... spaces and direct priority links to"	Agree, this would be consistent with the hierarchy of transport users.	Amend paragraph 8.14 (now paragraph 8.16).
160	TR40	Micklegate Ward Members	Para 8.17 should read ".... footpath and cycle path links ..."	Cycle path links should also be incorporated into the design of amenity open space.	Amend paragraph 8.17

161	TR40	Micklegate Ward Members	<p>Additionally a section referring to the wider sports and leisure issues in this area needs adding - building on the deficiencies identified in the area study done by active York. Since the loss of the Barbican - which itself was some distance, this area is very poorly provided for.</p> <p>There also needs to be a para on community meeting facilities. At the moment the only facility in this area is St. Chad's church hall. Based on our own knowledge, it's fully utilised - we've been unable to book any Micklegate ward committee meetings there for some years now - and David meek who does their bookings will confirm the wider picture. Therefore the new development needs to provide enhanced provision. Whether this is on site or by helping to expand the St. Chad's [provision is an open question (St. Chad's is quite a dated building, but they do have additional space at the back, which might allow this.). We would want an explicit requirement here given the position and the expectation that there will be significant new housing on the Terry's site.</p>	It would not be appropriate for the Brief to set out precise requirements for developer contributions to mitigate the impact of the development as we have not agreed the nature or quantum of the development. This is explained in paragraph 8.3. However, the role of the proposed Community Forum in identifying any needs can be included in the Brief.	Add to paragraph 8.3 - "The Community Forum, that is to be established to represent community views in the development of the masterplan, will be an important consideration in determining the nature and extent of any community needs generated by the development of part of the site for residential use".
162	TR44	Turley Associates	8.3 Government guidance in paragraph B9 of Circular 05/2005 is that S106 payments should be directly related in scale to the impact which the proposed development will make. Planning obligations should not be used solely to resolve existing deficiencies in infrastructure provision or to secure contributions to the achievement of wider planning objectives that are not necessary to allow consent to be given for a particular development. The impression given in this paragraph is that the development of the site can solely remedy existing deficiencies in the South Bank community which is clearly contrary to the guidance in circular 05/2005. The sentence "There is potential to meet recognised needs of the South bank community via on and off-site provision of community facilities" should be deleted from the paragraph.	Agree that developer contributions should be relevant to and related in scale to the development. However, there is an opportunity here to consider the wider community and benefits of inclusion and integration. It may be that some of the agreed on-site contributions may be better delivered off-site. Paragraph 8.3 recognises this potential.	No change.
163	TR44	Turley Associates	8.4 The repair, conversion and retention of the listed buildings will contribute to the provision of public art on the site. The creation of new spaces will of themselves be places of art. The requirement for 1% of the total cost of the new development to be set aside specifically for public art is therefore unnecessary. Delete second sentence of paragraph.	Agree that public art can be integral to the design of buildings, rather than as stand alone art.	Add new sentence to paragraph 8.5 - "Public art may be integral to the design of the development, eg. the re-interpretation of the public realm/ landscape framework in relation to the conserved factory buildings, a designed entrance, paving, lighting, or as a separate work of art."
164	TR44	Turley Associates	8.16 The Councils 'Open Space Sport and Recreation Study Sept 2007' sets out the government definition of open space as:"all open space of public value, including not just land, but also areas of water such as rivers, canals, lakes and reservoirs which offer important opportunities for sport and recreation and can also act as a visual amenity".The typology of open space includes Amenity Areas and Green Corridors that may have a role in enhancing the appearance of an area as distinct from an active use. This paragraph does not conform to national or local guidance. Delete paragraph 6.16	Agree to delete the last two sentences of 8.16, but re-word the first part of the paragraph. No need to remove 6.16	Amend paragraph 8.16 - "In calculating the provision of amenity open space within the proposed development, the Council will not consider insubstantial, incidental, isolated areas of planting that are un-associated with any open space or outdoor/recreational facility, nor cycle routes or footways that have no landscape setting".
165	TR45	Turley Associates	8.17 Access for disable people is already covered by existing planning policies, Statute and building regulations rendering this paragraph unnecessary. Delete paragraph.	It is important to emphasise this point which became apparent in response to the refused proposal.	No change.
166	TR42	Member of the Public	Concerns on access for the school during term time and also playing field facilities	See response to 157 above.	See amendments under 157 above.
9. ACCESSIBILITY TRAFFIC AND TRANSPORT					
167	TR02	Member of the Public	The basic aims proposed seem to cover the important issues, conservation of buildings and landscape and a good mix of uses for the site, with avoidance of ugly concrete parking. An improved bus service would be welcomed for the whole of the South Bank area.	Noted.	No change.

168	TR02	Member of the Public	The question about increased traffic - something I have not seen addressed at any time is the amount of traffic when the factory was in operation - the large number of workers using cars and also the huge articulated lorries visiting the site. How will this compare with future traffic?	The developer is required to submit a supporting transport assessment report to accompany any future planning application. This will need to set out clearly a comparison of traffic levels between the use of the site as a former factory and its proposed use with new development.	No change.
169	TR05	Member of the Public	In general very good. One or two points not at all happy. One thing really annoys me. Bishopthorpe is being considered for possible diversion, what about us at South Bank, we suffer horrendous race traffic. Any event held on Knavesmire we suffer noise and traffic it makes my blood boil when Bishopthorpe residents complain who do they think we are because were in terraced property doesn't mean were second class. Sorry but my feelings are now very high about this subject.	The issue of whether a relief road should be provided for the village of Bishopthorpe was considered by Members last month. In the event they decided not to proceed with any further investigation of this idea.	No change.
170	TR06	Member of the Public	New sentence to 9.4 of original brief: "It is important that any development recognises existing constraints of limited parking facilities available to existing properties along Bishopthorpe Road and in bringing forward development proposals for the site. Any junction improvements considered at the Campleshon Road/Bishopthorpe Road junction should seek to safeguard this arrangement or minimise the loss of these spaces."	The need to avoid a transference of parking demand to adjoining residential streets is recognised and the issue will be examined following the submission of the applicant's development proposals.	
171	TR08	Member of the Public	I am puzzled by the car parking section, as I understand they were going to have underground parking.	The developers proposals for car parking on the site, with surface level or underground have yet to be clarified.	No change.
172	TR09	Member of the Public	We have only recently moved here - to Palace Gardens Cottage near the crematorium. Pedestrian facilities from Bishopthorpe Main Street to the site are very poor at the Bishopthorpe Road end - quite frankly they are dangerous with a narrow path, poor visibility and speeding cars - well over the 30mph limit any increase in traffic will put lives at risk - I have 3 small children.	The need for improved pedestrian facilities along Bishopthorpe Road approaching Bishopthorpe itself will need to be the subject of a separate study.	No change.
173	TR10	Member of the Public	No 11 bus service worst in York will not get any better!!! TRAFFIC TRAFFIC TRAFFIC RACE DAYS. There are another two developments already on Tadcaster Road which will create even more traffic and this development may be just one too many.	The Council is keen to see an improvement in the frequency of the no.11 bus service between the site and the City Centre which it is hoped the developer will be willing to fund as part of any mitigation measures.	No change.
174	TR11	Member of the Public	A road to the site is essential. Congestion occurs in Church Lane Bishopthorpe now and race days are a nightmare. If we are to be involved with the Ledds city economy. This is important to residents of Bishopthorpe and Tadcaster Road.	The issue of whether a relief road should be provided for the village of Bishopthorpe was considered by Members last month. In the event they decided not to proceed with any further investigation of this idea.	No change.
175	TR13	Member of the Public	Some of the claring issues that need to be addressed in the brief include the likes of, measures to guarantee that access to the site is in the order the brief says... i.e. foot, cycle, disabled access, public transport, etc before last but not least private cars.	Noted. The need for guarantees at this stage is not felt necessary - merely guidance on what are the Authority's priority listings of road users.	No change.
176	TR13	Member of the Public	This then highlights that there should be no demand to change the current road infrastructure or add link roads etc as there will be small demand or need for vehicle access to the site over the other promoted methods that need to be more addressed in the brief. There were thousands of workers that used to use the site and they did so with the current infrastructure therefore this does not need amending to accommodate over-development. Scale the development back to fit the current structure 'it is that simple'.	Noted.	No change.

177	TR13	Member of the Public	The actual brief completely contradicts itself about integrating with the existing area. Vehicular access to the site on the brief says it must mainly enter through the existing Bishopthorpe Road access. It then also states the preferred route for transport must be Tadcaster Road and not Bishopthorpe. Was this written by different people, that means sending most traffic past the entrance on Campleshon road, past the 20mph zone and primary school then creating congestion at the cross road at Bishopthorpe road, already an extremely over used route into the city and out, and round to the Bishopthorpe Road entrance to the site. How stupid would that be!	It is commercial vehicles which, as a general principle, are to be directed to use the existing Bishopthorpe Road access to the site. Such traffic entering the City from the direction of the A64 should be encouraged to use Tadcaster Road and Knavesmire Road to reach the site rather than the alternative route through the village of Bishopthorpe.	No change.
178	TR13	Member of the Public	Clearly having lived on Bishopthorpe road for some 25 years I understand the way traffic uses this road to enter the city, the volume of traffic that already used the bishopthorpe, bishopthorpe road route into the city on a morning from the a64 and back again out of the city has increase tremendously over the years, this road is certainly currently at capacity at peak times. This is probably due to the fact that the councils plans for public transport into the city from the south would use askham bar park and ride and the new bus lanes running nearly all the way up the mount into the city, making any car journey at a stand still so instead of car drivers using these facilities, guess what they go a route without a bus lane, yes, bishopthorpe, church lane, bishopthorpe road into the city! The council has already indentified a problem on this route with high speed traffic being a cause for concern.	By promoting the use of sustainable modes of transport by the end users of the development site, we would hope to minimise and further increases in vehicular traffic flow along Tadcaster Road.	No change.
179	TR13	Member of the Public	All these types of development should be considered that require more local access rather than transport access to the site.	Noted.	No change.
180	TR13	Member of the Public	The nearby roads could be converted for resident, community use, i.e. residents, buses, bikes and disabled transport into the area only with no through traffic.	Noted.	No change.
181	TR13	Member of the Public	All previous developments in York have unaccounted and underestimated the use by private vehicles and it has left most of the north area including Clifton moor etc at grid lock due to roads that do not support the developments. The council must not as they seem to be already allow this to happen on the south side of York now they are allowing development of this site.	The Council is requiring a detailed study to be undertaken to assess the future traffic implications of a redevelopment of the site and will need to be satisfied that the highway network in this sector of the City can handle the predicted levels of traffic with any mitigation measures in place.	No change.
182	TR14	Member of the Public	No. Too many unnecessary houses, therefore TOO MANY cars. We CANNOT accept any more cars. NO more shops or restaurants - the present shops are good and quite adequate.	The Council is seeking to ensure that alternative sustainable modes of transport are in place prior to any occupation of the site so that any additional car journeys are kept to a minimum. The development will create additional demand for a number of facilities including for example shops and restaurants. The Brief sets out the planning issues relating to the need for an appropriate mix of uses to create a 'sustainable community' on the site.	No change.
183	TR16	Member of the Public	We do not feel that issues relating to improving the supporting road infrastructure have been addressed. Whatever the use of the site and whatever restrictions are put on the vehicle usage the local roads in particular Bishopthorpe Rd and Campleshon Rd will not cope	The developer is required to submit a transport assessment report to accompany any future application. This will include an examination of the impact of development traffic on Bishopthorpe Road and Campleshon Road, amongst others.	No change.
184	TR23	Member of the Public	The Park & Ride link would help residents in SouthBank with No.11.	Agreed.	No change.

185	TR24	Member of the Public	The Development Brief should have the racecourse road connected to bishopthorpe road for commercial traffic, campleshon road being a dead end and residential access only, and bishopthorpe road north of the commercial access point for the terrys site, access only and 20mph zones in place.	Such proposals would require a significant amount of investigation and consultation and are felt to be outside the scope of this development brief. It would be unreasonable to expect the developer to meet the costs of this amount of new road construction.	No change.
186	TR26	Micklegate Planning Panel	Paras 3.13/9.15: Improvements to the No.11 bus service are absolutely essential as part of any development. We would also like to see any bus service connecting through to Askham Bar from Bishopthorpe, rather than terminating there as at present.	Noted. Officers intend to seek funding from the developer to meet such improvements to public transport services in that location.	No change.
187	TR26	Micklegate Planning Panel	We believe the impact on areas around the factory site should be acceptable – that would not, for example, mean the removal of all parking from residents at the south end of Bishopthorpe Road.	Officers will seek to minimise any loss of on-street parking arising from the introduction of any highway improvements felt necessary to deal with predicted levels of traffic flow.	No change.
188	TR26	Micklegate Planning Panel	Para 6.32: We could welcome the situation that parking provision should not dominate the development.	Noted.	No change.
189	TR26	Micklegate Planning Panel	Para 9.6: There should also be some recognition of the cumulative effects of traffic growth on the area. The law college now generates a very significant amount of traffic.	Transport assessment will examine this issue.	No change.
190	TR26	Micklegate Planning Panel	Para 9.10: We note the improvements to the cycle route proposed; however the section between Bishopthorpe Road and the riverside is, as stated in the report, "steep and dangerous". There is an argument that the principal desire line for this track may be to the south and east of the existing car park, then crossing Bishopthorpe Road at the south end of the Terry's site. It would certainly be useful if some improvements could be made to this section.	The Council would hope to secure funding to enable such a change to the current route of the cycle link between Bishopthorpe Road and the riverside route.	No change.
191	TR26	Micklegate Planning Panel	Para 10.8: We are pleased that the impact of the traffic on the surrounding road network, such as the Inner Ring Road, has been recognised as an issue of significance in the development. However, we would be interested to know what measures would be taken by the council if this resulted in a technical breach in any of the Air Management Areas.	See responses to comments 241 and 243.	No change.
192	TR26	Micklegate Planning Panel	We would ask that any proposal for a "bypass" of Bishopthorpe village as suggested should be examined carefully in terms of any potential for increased traffic generation on Bishopthorpe Road north of the A64 bridge.	Issue already considered by Members who agreed not to proceed with any further investigation.	No change.
193	TR29	Member of the Public	The proposals do not adequately address the concerns which were raised about traffic flow on Tadcaster Rd, Bishopthorpe Rd and Campleshon Rd. We also suspect that the problems relating to on-street parking in the adjacent area of South Bank have not been reconsidered. Money should be spent by CYC &/or developers on an access road to the site from the Bishopthorpe end.	Future levels of vehicular flow on Bishopthorpe Road, Tadcaster Road and Campleshon Road are very much a concern of highway officers and will be subject to close scrutiny when the transport assessment report is submitted by the developer.	No change.
194	TR32	Bishopthorpe Parish Council	We can see the same happening with this revised Brief. The planning committee were concerned about a possible "over-development" and how the traffic generated would be handled in the network. This brief does not address these concerns. At the planning meeting it was finally admitted that Bishopthorpe would be affected. The brief only addresses this with "It is particularly important that such traffic (commercial) is kept away from the village of Bishopthorpe" The suggestion is that such traffic uses the Tadcaster, Knavesmire Road, Campleshon Road and Bishopthorpe Road the designated "main" entrance.	The developer is required to show that the predicted levels of traffic associated with a future level of development can be satisfactorily handled by the road network without creating unreasonable amounts of congestion and delay. Unless this is satisfactorily demonstrated, Officers are likely to recommend to Members that the application be refused.	No change.

195	TR32	Bishopthorpe Parish Council	What will actually happen? The traffic will pass through Bishopthorpe to get to the main entrance and if it does use the preferred route it will turn at the Campleshon Gate. We have suggested that a survey was made on the existing users accessing the site. We believe these results will show the priorities set out in 9.1 are not being met.	Noted.	No change.
196	TR32	Bishopthorpe Parish Council	It is noted that 9.6 states "To promote the relief of new traffic on the existing network, created by the new development, the Council is investigating a possible new two part road link.....to the north of Church Lane." We believe that it is actually just south of the A64 and we oppose that route because of its effect on the Green Belt. We have suggested that Church Lane is widened to allow the parking of the "school run" and bi-directional traffic. The attached sketch shows our ideas. SEE SKETCH MAP	Noted. Members have decided not to pursue the idea of a relief road for Bishopthorpe.	No change.
197	TR32	Bishopthorpe Parish Council	In the course of the application, it has been stated that traffic would be no more than that at Terry's heyday. No figures have been produced but those who worked there then said it was mostly bicycle and pedestrian. This development with its proposed Science City York/knowledge based activities will not find employees living within walking or cycling distance, i.e. traffic will be car borne.	Noted.	No change.
198	TR32	Bishopthorpe Parish Council	The developer has pointed out that if the existing planning consents are activated then there would be traffic over and above existing levels and that would not be their problem (City of York?) and only the excess in that number would be their responsibility. Figures presented showed these figures would be negligible. It would seem to us that the infrastructure to support this development is a City of York responsibility. What is stated in the section9 Accessibility, Traffic and Transport would then mean the developer follows the guidelines and would have very little input to the infrastructure.	The developer will be required to fund measures designed to mitigate the impact of any increase in predicted levels of traffic over and above what could reasonably be expected if the current buildings were to be reoccupied on the basis of their existing planning consent.	No change.
199	TR34	Member of the Public	Traffic is the main problem with further residential areas between Bishopthorpe and South Bank the already over congestion will be exacerbated -parked cars in South Bank, Bish Road already dominate the street scene causing problems at peak traffic times. It is doubtful whether York City Council members and officials have sufficient nous or logistics to solve the traffic problems which can only increase York's traffic congestion.	It will be for Council officers and the developers transport consultants to identify ways in which any traffic associated with the future development can be handled without adding to the current levels of congestion in the area.	No change.
200	TR35	York Civic Trust	1. Inadequate mitigation measures. We asked for details of traffic measures in our letters of November 2005 and January 2007, so were not surprised when this arose as an issue. We are pleased to see that you address fundamental issues regarding this aspect of the development in para 9.2 and agree with the sentiments expressed there. In paragraph 9.4, you explicitly state that commercial traffic should be directed from the A64 via Tadcaster Road, Knavesmire Road and Campleshon Road, to protect the village of Bishopthorpe. Yet we also note that para. 4 of your refusal notice deals in detail with the disruption to the Tadcaster Road Conservation Area that arises from such a strategy. It is difficult to see a resolution to this problem other than minimising traffic through keeping a tight control on the levels of activity on the site (again at odds with the overall ambition to create an employment site of some significance).	Noted.	No change.
201	TR35	York Civic Trust	It is therefore with interest that we note para. 9.6; we consider the potential new relief road to the south to be a key element to the success of the scheme. Without it, two problems arise: first, traffic levels will undoubtedly rise in Bishopthorpe, whatever the intentions to direct it along Tadcaster Road and secondly, the traffic mitigation requirements will again conflict with the protection of the Tadcaster Road Conservation Area.	Noted. Members have now decided not to pursue the idea of a relief road for Bishopthorpe.	No change.

202	TR35	York Civic Trust	<p>2. Inadequate sustainable travel proposals. We note that some strengthening to the brief at Section 9 has provided some further clarity regarding the requirements here, but wonder about the issue of the financial underwriting of the bus route the Council envisages in para. 9.15. Such a matter is surely outside the control of the LPA and of the applicant, since as a third party, the bus company could not be held to any agreement.</p> <p>Whatever the aspirations for sustainable travel, we believe that the uses of the site for employment and residential will generate more car use and advise that further thought is given at an early stage to the issue of car parking, since additional capacity will undoubtedly be required and if not provided, cars will spill out into the surrounding streets to find space, creating an inevitable social tension between the 'new' and the 'old' residents and users of the area.</p>	The LPA has powers to seek funding from the developer for measures considered necessary to mitigate the impact of additional traffic arising from development proposals. The need to avoid a displacement of car parking associated with any new development is considered very important and officers will require evidence to show that this is unlikely to be an issue.	No change.
203	TR38	Member of the Public	In general, yes. I think the consultants who held the "open forum" with the community in November did a good job in summarising the community's concerns and aspirations about the development. In particular, it is important that the heritage and existing green areas are fully protected, whilst integrating the site into the community, with suitable footpath and cycleway links. Frequent and reliable bus services linking the site with York and Bishopthorpe should be provided, with bus stops located close to the new housing and commercial premises. However, I have strong reservations about a link from the Askham Bar Park and Ride terminus, which would destroy the natural environment unless it uses existing roads. I am similarly concerned about the creation of a diversionary route for Bishopthorpe for similar reasons. In either case, this could lead to major use by buses and city-bound traffic, completely spoiling the local area.	Noted.	No change.
204	TR38	Member of the Public	Increased traffic uses Simbalk Lane and thence into the city via Bishopthorpe and the Terry's site – particularly since the opening of the improved link to Woodthorpe from the A1237. The original development plan envisaged using the Terry's main drive as the main access to the racecourse; this is clearly unacceptable as it would lead to even worse traffic problems and ruin the environment of the site.	Noted.	No change.
205	TR40	Micklegate Ward Members	<p>Accessibilty, Traffic & Transport</p> <p>Para 9.2 line 2 should read "... demands that a highly innovative low car usage traffic and ..."</p> <p>line 3 should read "... based upon highly attractive and sufficient ..."</p> <p>line 4 should read "... around the site for, and giving strong encouragement to, pedestrians..."</p>	Noted. Officers will seek to ensure that any proposals for the introduction of new pedestrian and cycle links are conveniently located and follow the desire lines of the intended users.	No change.
206	TR40	Micklegate Ward Members	Para 9.3 This para needs re-examining. If traffic comes from Knavesmire Road, then it would be much better if the traffic accessed the site from racecourse road rather than pulling it into Campleshon and round then into Bishopthorpe road in terms of minimising the local impacts.	Noted. Providing linkages into the site from Racecourse road will be explored as part of any future application.	No change.
207	TR40	Micklegate Ward Members	Para 9.6. We'd ask you to better reflect the actual motion on this link road passed by Council, which qualified and widened the terms of this piece of work and will look at the disbenefits of any new link road as well as the benefits. We believe the former could well exceed the latter.	Noted.	No change.
208	TR40	Micklegate Ward Members	Para 9.7. should read "... safe & direct routes ..."	Noted.	Amend para. 9.7 to read " a network of safe and direct routes....."
209	TR40	Micklegate Ward Members	Para 9.10. should read "... existing National Cycle Route ...". At the end please add in the new link to the river issue as detailed earlier (para 4.2).	Noted.	Amend paragraph 9.10. Add "National Cycle" for accuracy. Add "is poor...and requires to be upgraded as part of the development".

210	TR40	Micklegate Ward Members	Para 9.15. should add at end "...bus service, to meet the local plan standards for a site of this scale."	Noted.	Add at end of para. 9.15 " bus service, to meet Local Plan standards for a site of this size."
211	TR49/5	Member of the Public	There needs to be reference to Mount Vale in the text of the Brief, as well as Tadcaster Road. The Developer and the advisory Consultants have only been referring to and thinking of 'Tadcaster Road'. If so, we may be missed out in subsequent consultations.	See response to comment 212.	See response to comment 212.
212	TR40	Micklegate Ward Members	Para 9.17. 2nd bullet point should include Albemarle road, Mount Vale (and the impact on its conservation area), Nunnery/Price's Lane. 3rd bullet point should include the Bishopthorpe Road / Scarcroft Road, Nunnery/Price's Lane, Tadcaster / St Helen's Road, Tadcaster Road / Moor Lane and Tadcaster Road / Sim Balk Lane junctions.	Noted.	Amend bullet point 3 to include " and those included in the scoping study".
213	TR40	Micklegate Ward Members	You also need a new para to flag how traffic will be managed on Race Days and during major flood events (when Knavesmire road is closed).	Noted. It remains the City Council's responsibility for the management of traffic during such occasions.	No change.
214	TR41	Member of the Public	Welcome focus of means of accessing the site by different modes eg bus/cycle/pedestrian/use of travel plans and these should be encouraged.	Noted.	No change.
215	TR41	Member of the Public	Would like to add further to 9.7 Proposed measures to ameliorate the traffic impact of the development, in particular these should not result in the significant loss of existing on street parking spaces for the occupiers of dwellings adjacent to the site.	Noted. Any measures put forward to mitigate the impact of development traffic will be examined for their likely impact on the availability of on-street parking for local residents.	No change.
216	TR42	Member of the Public	P43 item 9.3 Why has the focus been changed to commercial traffic it should be all traffic	Agreed.	Delete the word "commercial" from the last sentence.
217	TR42	Member of the Public	P43 item 9.4 Why must traffic be kept away from Bishopthorpe village, all areas need to share in the burden.	The Council's policy is to direct through traffic along the primary road network of the City and keep it away from unsuitable roads and residential areas whenever possible.	No change.
218	TR42	Member of the Public	P47 item 9.20 Good that this is put forward	Noted.	No change.
219	TR42	Member of the Public	Welcome the increased focus on alternative forms of transport (cycle, buses etc)	Noted.	No change.
220	TR44	Turley Associates	9.3 Traffic and transportation considerations will be a major consideration for any proposals for the site. The brief should not pre-determine the outcome of the design and transport solutions that will come forward from the Transportation Assessment and masterplan. Replace paragraph 9.3 with "The site is currently served by two principal access points one from Campleshon Road and the other from Bishopthorpe Road. A Transportation Assessment will help inform the masterplan process how these access points will be used in the scheme for the redevelopment of the site."	The existence of Knavesmire Primary School opposite the Campleshon Road access to the site leads officers to believe that the bulk of development traffic should be encouraged to use access points along Bishopthorpe Road.	No change.
221	TR44	Turley Associates	9.11 The masterplan process will be the most appropriate way to arrive at the agreed scheme for the site, including the treatment of boundaries and the creation of new access points. The requirement for an cycle/ pedestrian gateway at the southern edge is overly prescriptive ahead of the completion of the masterplan. Reword the second sentence to read "A new cycle/ pedestrian gateway at this point could be created as part of the development proposals:"	Agreed	Amend para. 9.11 to read "a new cycle/pedestrian gateway at this point should be investigated as part of the development proposals".

222	TR44	Turley Associates	9.20 Controlling car ownership is both legally difficult and can adversely impact marketability and thus viability of a scheme. Car ownership does not necessarily equate with car use if people have appropriate and competitively priced sustainable transport alternatives. Delete paragraph 9.20.	Noted.	Amend para 9.20 to read "the Council is wanting to see a low car use development delivered through sustainable transport measures".
223	TR45	Turley Associates	9.3/ 9.4 Traffic and transportation considerations will be a major consideration for any proposals for the site. The brief should not pre-determine the outcome of the design and transport solutions that will come forward from the Transportation Assessment and masterplan. Replace paragraph 9.3 with "The site is currently served by two principal access points one from Campleshon Road and the other from Bishopthorpe Road. A Transportation Assessment will help inform the masterplan process how these access points will be used in the scheme for the redevelopment of the site."	Noted. The existence of Knavesmire Primary School on Campleshon Road is leading officers to believe that the bulk of development traffic should be encouraged to use access points along Bishopthorpe Road, in the interests of road safety.	No change.
224	TR45	Turley Associates	9.15 The requirement for bus services will depend on the type of floorspace that get's developed and the need it generates. Replace reference to 5 years an undertaking to negotiate bus service provision appropriate to the type of development that gets approved.	Our transport planners believe that funding for 5 years after development is complete is not an unreasonable expectation, giving time for residents travel choices to become established	No change.
225	TR45	Turley Associates	9.21 This clause suggests that options for car clubs can be explored. Paragraph should clarify what car club measures will be accepted.	Agreed. The paragraph needs re-wording in the light of the current arrangement with the company Whizzgo to provide car club facilities throughout the City.	Amend paragraph 9.21 - "The Council will expect any development proposals to include an expansion of the City's car share club facilities, as one option for meeting future residents and occupiers transport needs. The developer should therefore make provision for the necessary dedicated car parking spaces and the associated finance to allow its successful operation in this area."
226	TR46	Highways Agency	The Agency's key concern is to protect the primary role of the Strategic Road Network (SRN) to accommodate strategic, long distance traffic, and to ensure its safe and efficient operation. The Agency would therefore have concerns over any development proposals or plans which could have a material impact on this.	Noted.	No change.
227	TR46	Highways Agency	Operational Conditions Any redevelopment proposals of the Terry' site will be of interest to the Agency due to the proximity of the site to the A64. To begin with, the Agency would like to identify the operating conditions of the SRN within the vicinity of the site as background to our response. The A64(T) acts as a commuter route between York and the towns and villages beyond and the West Yorkshire urban centres. Thus there is a predominant traffic flow in the westbound direction in the morning peak and eastbound in the evening peak. At present there are weekday peak period traffic congestion problems at some junctions of the A64(T) with the local road network, principally the junctions with:- · A19 south of Fulford, · A1079 at Grimston Bar, and · A1237 (Outer Ring Road) at Hopgrove.	Noted.	No change.

228	TR46	Highways Agency	<p>These problems can affect the journey times of both through traffic and locally generated and attracted traffic during peak periods using both the SRN and the local highway network. In addition the A64(T) is subjected to a considerable amount of leisure traffic as it is a route from the urban conurbations of south and west Yorkshire to the Yorkshire coastal towns and North York Moors National Park. This can result in a considerable variation in traffic demand levels, particularly at weekends and on bank holidays. At times these demands result in traffic congestion on the mainline carriageway in the eastbound direction during morning periods and westbound in the evenings. The Hopgrove roundabout is a particular constraint at such times.</p> <p>Extensive traffic congestion also occurs on the A64(T) and its junctions when there are race meetings at York Racecourse.</p>	Noted.	No change.
229	TR46	Highways Agency	<p>Accessibility, Traffic and Transport Highway Access (Page 44)</p> <p>The document identifies that York City Council are investigating the possible new 2-part road link to mitigate any additional traffic associated with any development proposals. A report on the feasibility of these proposals is expected in early 2009 but no details are given of how this is expected to be funded. Creating a sustainable development with travel planning at the core should be the focus of any redevelopment proposals for the site, with any physical improvements on the highway network a secondary consideration. The Agency recommends that the document should re-iterate that developers should not rely on these highway improvement proposals to go ahead when developing schemes for the site, and should first identify a comprehensive range of travel plan measures to try and mitigate any traffic impact.</p>	The Authority is seeking to encourage the use of sustainable modes of transport by the end users of the site so as to minimise the need for any highway improvement works felt necessary.	No change.
230	TR46	Highways Agency	<p>Park & Ride (Pages 45-46)</p> <p>The Agency suggests that any opportunity to serve the site with the Askham Bar Park & Ride service should be further emphasised within the document, to enable the feasibility of providing such a linkage to be undertaken as part of any scheme proposal.</p>	Agreed.	Amend final sentence of para 9.16 to read "the developer should investigate what opportunities exist to serve the commercial element...."
231	TR46	Highways Agency	<p>Transport Assessment (Page 46)</p> <p>Although the Development Brief sets out the need for a TA to be undertaken to support any development proposals, it focuses on the need to assess the traffic impact rather than the need to start with person trips generated by the development, identifying a series of measures to reduce the number of car borne trips and then the assessment of residual vehicular impact. The Agency suggests that this method of approaching the TA should be made more explicit in the document.</p>	Noted. The scoping study for the transport assessment will outline this philosophy which should be followed by the developer's transport consultants. The DfT guidance encourages the examination of person trips rather than vehicle trips.	No change.
232	TR46	Highways Agency	<p>The 'key junctions to consider' should include the A1036 / A64 junction, as this is the first point of contact from the site onto the SRN. However, due to the arrangement of this junction, typical junction modelling software can't be used to assess its capacity and merge and diverge assessments of the slip road will need to be undertaken within any TA.</p>	Noted. Will include within the scoping study to be agreed with the developers transport consultant.	No change.
233	TR46	Highways Agency	<p>Additionally, any leisure uses proposed at the site should have special consideration given to the summer months within a TA, when the A64 has an increase in vehicular flows due to tourism / leisure uses in Scarborough and York.</p>	Noted.	No change.
234	TR46	Highways Agency	<p>Travel Plan (Pages 46-47)</p> <p>Although the Development Brief states 'The council encourages the take-up of Travel Plans as a 'soft measure'...' the Agency does not consider this a strong enough emphasis for the need for a Travel Plan to be at the core of any planning application. Travel Plans are an integral part of the planning process and an essential measure to mitigate the impact of traffic generated by new development. A Travel Plan will be used as the foundation for a Transport Assessment prepared in accordance with the Department for Communities and Local Government / Department for Transport guidance and it should be in conformity with prevailing guidance.</p>	Agreed.	Change first sentence of para. 9.18 to read "the Council believes that travel plans are an integral part of the planning process and an essential measure to mitigate the impact of traffic generated by new development".

235	TR46	Highways Agency	The document states a Travel Plan is required for employment uses over 30 employees but does not suggest a Travel Plan would be required for any housing element. The Agency suggests that this needs to be amended as Travel Planning can be applied to all types of development.	Agreed.	Change para 9.19 to read " a travel plan will be required as supporting documentation for any planning application for development where more than 30 people are likely to be employed or more than 50 residential units are to be built.
236	TR46	Highways Agency	It is stated in the Development Brief that 'where a particular occupier is not identified at the planning stage a condition would be attached to any planning consent requiring a Travel Plan to be submitted for approval.' However, the Agency recommends that wherever possible, a Travel Plan should be developed to accompany a planning application, with firm commitments that the eventual occupier must adhere to. It will be the developer's responsibility until such a time as an occupier is identified i.e. getting requirements in place before occupation / identifying Travel Plan Coordinator for example.	Noted.	Insert additional sentence in para 9.19 " it will be the responsibility of the developer to fund the post of travel plan co-ordinator for the site for an agreed period.
237	TR42	Member of the Public	Local residents are still very concerned on the impact the site is going to have regarding traffic, noise and air quality. We are hoping that working closely with the council and developers will ensure we are able to take into consideration as many concerns as possible and reasonable compromise be reached.	Noted.	No change.
238	TR47	English Heritage	6 Regarding the impact of the traffic which the site will generate, our concerns relate to the intervention in the highway which will be required to manage the increased movements. Highway works are increasingly interventionist, creating signage and clutter which harm the historic environment. This adverse impact will be felt not only in the immediate vicinity of Terry's but also further afield in the Tadcaster Road conservation area.	Off-site traffic mitigation requirements are mentioned in 9.7. However this needs to be amplified to draw attention to the need for careful design and consultation, especially in the conservation areas of Tadcaster Road and Bishopthorpe. Signage and other potential "clutter" on site should be controlled through the Design Code. Para 9.17 "transport Assessment" should be amplified as in no 144 above.	See response to comment 144.

10. ENVIRONMENTAL ISSUES

239	TR40	Micklegate Ward Members	Environmental Issues (page 48 on) 10.4 piling is spelt with a single l.	Noted.	10.4 Change piling.
240	TR40	Micklegate Ward Members	Para 10.5 would like the suggestions as to how to minimise traffic and air quality impacts retained.	10.5 These issues are addressed in section 9.	No change.
241	TR40	Micklegate Ward Members	Para 10.6 concerned about this paragraphs deletion as it covered section 106 payments for air quality hotspot mitigation measures, which may well be required at the top end of Bishopthorpe road and the Nunnery/Price's Lane gyratory.	This section appears to have been removed in error.	Reinstate the original paragraph 10.6 in addition to the new paragraph detailed in 10.8.
242	TR42	Member of the Public	P51 item 10.11. Focus on recycling seems to be very poor, I would have hoped more focus on the recycling issued during design, construction and on going daily requirements.	All these are covered by CYC IPS:Sustainable Design and Construction and especially through the IPS's requirements under recycling, waste site plans and the Considerate Constructors	No change.
243	TR44	Turley Associates	10.8 Sub paragraph 3 It is not clear what this sub paragraph is asking. Discussions are ongoing regarding appropriate scenarios to be modelled. This paragraph should reflect those discussions. Delete sub paragraph 3 and replace with: "The modelling of appropriate scenarios for the proposed development scheme will be agreed with Council and developer."	The paragraph details the scenarios that need to be considered in terms of air quality (i.e. look at pollutant concentrations, at each of the specified receptors, for each of the specified scenarios). This is a standard approach that would be adopted for any air quality assessment for a site of this nature.	Amend paragraph 10.8 "The following scenarios should be modelled, subject to agreement between the Council and the developer."

244	TR44	Turley Associates	10.9 Ground investigation and gas monitoring works have already been carried out and the results provided to the Council. This paragraph may not be required or should be amended to reflect the information already made available to the Council. Delete paragraph or amend to reflect the information already available to the Council.	EPU have not seen any gas monitoring results and would request that they be forwarded to Lucie Hankinson for review. Until then the paragraph needs to stand as it is.	No change.
245	TR45	Turley Associates	10.8 The scope of the works to address Air quality should be related to the development and agreed with the Council once the masterplan is nearing completion. Delete revised paragraph and retain existing paragraph 10.6.	Para 10.8 describes our minimum requirements for any development of the site. I would maintain that this information should be retained and should sit alongside para 10.6 (as above). Additional scope can be added at a later date in line with any master plan for the site and surrounding area. This section also describes the format of the data required for the air quality assessment (eg. AADTs, HGV/LGV ratios etc) and should be retained to inform the traffic modelling work.	No change.
246	TR45	Turley Associates	10.1 The work referred to in this paragraph has been carried out. Delete paragraph.	An EIA scoping opinion was sought for the original development plans but due to changes in the plans a new one will be required. The Brief relates to the requirements for a planning application for the site and is not written specifically for the current developer and current negotiations.	No change.

APPENDICES, PLANS AND PHOTOGRAPHS

247	TR33	York Racecourse	York Racecourse land, Just for clarity, on the overhead photographs, maps and plans within the Development Brief - June 2006 (revised January 2009), York Racecourse own freehold land, both at; i) D Car park (correctly labelled 'Racecourse' in the photograph on the first page and; ii) Coach Park to the South of the Terry's site (incorrectly in our view labelled 'Knavesmire' in the same photograph), giving the impression of public access land controlled by the City of York Council. We are of the view that being clear about land ownership is important as we note that a document on the City of York Council's website entitled 'The Chocolate Works: Consultation event findings summary' (attached) referred to D Car park as 'The Green'. Although it is a grassed area, in no sense is it a green or has any form of public access. (SEE PHOTO ON FILE)	Noted.	Amend notations.
248	TR40	Micklegate Ward Members	Plan 4. Should the east of Bishopthorpe road car park not be clear - hardly ridge and furrow any more!	Where possible, ridge and furrow merits preservation. This area to east of the car-park is quite ephemeral. However, in the context of the rest of the ridge and furrow this section merits inclusion in this zone.	No change.
249	TR40	Micklegate Ward Members	Plan 5. Can we show a potential alternative commercial traffic route via Racecourse road (cf our earlier comment - para 9.3), and can we properly label NCN 65 and the possible alternative route for it down to the river (ref comments on para 4.2 above).	These are matters to explore with the developers transport consultant rather than for inclusion in the development brief.	No change.
250	TR40	Micklegate Ward Members	Plan 6. Can you move the legend, so the flooding problem on Knavesmire road is more obvious!	Agreed.	See Brief for amended map.

GENERAL

251	TR04	Member of the Public	From this leaflet it is very unclear what the proposed revisions actually are. I suggest that you send out to the South Bank community a simple chart bullet pointing the original proposals and how they have been amended. This would then give the South Bank Community a simple, accurate and fair summary on which to make their comments.	The Brief provides guidance on planning policy as it applies to the site and does not constitute proposals for development. The community will have the opportunity to comment on a new planning application as and when one is submitted.	No change.
252	TR07	Member of the Public	Typical of the planning department of this Council dither, dither. York needs jobs, housing and you have put the spanner in the works over and over. Leave it as it is, let it become an eyesore like the Bonding Warehouse, St Leonards Place, York needs job, but I think you have left it to late, as usual. Strategy what a joke.	The revisions to the Development Brief are considered necessary to ensure that the developer has clear guidance on what is acceptable. This will help to expediate the process. Proposals are required to incorporate employment uses.	No change.
253	TR13	Member of the Public	I represent hundreds of local residents at www.terrydevelopment.co.uk that opposed the plans that were unanimously thrown out by councillors that understand the local community, integration of a development, traffic issues in the 21st century and environmental issues, we support development of the site but the brief must consider; The current brief that is now being changed to indicate to the developers what they may be able to develop the site still does not deal with these issues, therefore the plans will probably still fall short.	The Brief provides guidance on relevant planning policy as it relates to traffic and environmental issues. Detailed issues will be addressed through negotiation with the Council and the production of a Transport Assessment and an Environmental Assessment. The Brief includes a section on the local community and how the development might contribute to the provision of facilities.	No change.
254	TR17	Member of the Public	Just get it going	Noted.	No change.
255	TR19	Member of the Public	Let them get on with it & stop of having discussions.	Noted.	No change.
256	TR20	CABE	Unable to review this scheme.	Noted.	No change.
257	TR22	Member of the Public	Yes, agree with proposed revisions	Noted.	No change.
258	TR28	Member of the Public	Yes I agree with the revisions, a big improvement	Noted.	No change.
259	TR32	Bishopthorpe Parish Council	From the beginning Bishopthorpe Parish Council supported the proposals to activate the site with employment possibilities and housing. However we have opposed the applications to date on the grounds they did not address the traffic generation and its effect on Bishopthorpe.	Noted.	No change.
260	TR37	Conservation Area Advisory Panel	The Panel's objections to the previous proposals for Terry's related to the overdevelopment, the type of application, the height of the new building obscuring listed buildings, housing type and the location of housing and commercial uses within the site. Also the residential care block encroached on the community garden.	Noted.	No change.
261	TR40	Micklegate Ward Members	Welcome the up-dating of the brief and commitment to getting the Terry's site brought back into full use. This is what our community wants, the issue has always been about doing it in a way that respects the historic parts of the site, respects and contributes to the surrounding community and provides a well integrated development that enhances the area and doesn't overwhelm it in terms of traffic and parking.	Noted.	No change.
262	TR41	Member of the Public	Welcome the redevelopment of the site.	Noted.	No change.
263	TR42	Member of the Public	I am supportive of the idea of the Terry's site being developed, my concern is to ensure it's the best development possible and ensure it is complimentary to the area and not damaging to future generations where ever possible.	Noted.	No change.
264	TR43	Member of the Public	Mostly agree with revisions, but still overdeveloped.	Noted.	No change.
265	TR42	Member of the Public	I am also concerned that a lot of the major decision are made on data that is out of date (I appreciate surveys are very time consuming, however with the recent events in the world it seems to me that the way we work and live has changed for ever and we have a very good opportunity to reflect this in this site)	The Brief reflects current evidence base and policies.	No change.

266	TR47	English Heritage	<p>Thank you for consulting English Heritage over the revisions to the previously approved Development Brief for the now redundant Terry's Factory site. We commented on the earlier Brief but understand that a number of circumstances which pertained in 2006 have now changed sufficiently to warrant a fresh assessment of the requirements and aspirations for the future development of this strategic site. We welcome this approach and consider that there is much in the Brief which we can support. However we are concerned that in the drive to secure development on this major vacant site, the strategic role of the listed buildings and the importance of their historic layout and juxtaposition is not made sufficiently clear. In our view, these factors determine the manner in which the Terry's site can be developed and must underpin the Brief.</p>	<p>Agreed. Amend brief as in no 135 and above.</p>	<p>See response to comment 135.</p>
267	TR47	English Heritage	<p>In summary, whilst we are supportive of a revision to the previously approved Brief, we are concerned that the historic interest of the site, its merits and attributes are not sufficiently woven in to the Brief. Furthermore the Brief in suggesting a wide mix of uses without setting out clear parameters of heights, massing and juxtaposition of those uses and linking it thoroughly to the guidance of the conservation area appraisal runs the risk of encouraging another scheme of the weakness and complexity of the now refused Grantside proposal. We trust that you will be able to take these comments on board. We are both happy to discuss them further with you and engage with the council over this strategic development site in the coming months. We look forward to hearing from you.</p>	<p>Agreed. Amend brief as in 138 above.</p>	<p>See response to comment 138.</p>