

## COMMITTEE REPORT

**Committee:** Planning Committee      **Ward:** Guildhall  
**Date:** 24 January 2007      **Parish:** Guildhall Planning Panel

**Reference:** 06/02325/FULM  
**Application at:** Car Park Union Terrace York YO31 7ES  
**For:** Erection of supported residential accommodation with new pedestrian access, associated parking and landscaping including 1.95m high perimeter fence  
**By:** York Housing Association  
**Application Type:** Major Full Application (13 weeks)  
**Target Date:** 25 January 2007

### 1.0 PROPOSAL

1.1 This application seeks permission to develop the north-west section of Union Terrace car park, to provide supported residential accommodation, with a new pedestrian access, associated vehicle and cycle parking and landscaping and the erection of a 1.95 metre high perimeter fence. The applicant is York Housing Association Ltd. The building will be operated by York Arclight, a charity involved with the assistance, resettlement and care of homeless people in the city.

1.2 The application is supported by a comprehensive Planning Statement, which includes a design and access statement, sustainability statement, archaeological desk-based appraisal, tree report, underground drainage design statement and transport assessment. If planning permission is granted, the proposal will replace the existing Arclight facility at the Bullnose Building in Leeman Road. The application is submitted to meet the requirements of recent Government policies regarding the provision of accommodation for homeless people.

1.3 Following initial responses from consultations, revisions to the original application were made, as follows: (i) elevational changes and a reduced length of building; (ii) amendments to the layout in part of Union Terrace car park, to maintain existing levels of car parking; (iii) an archaeological evaluation, following on from the desk-based study submitted with the original application.

### 2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Areas of Archaeological Interest City Centre Area 0006

City Boundary York City Boundary 0001

## DC Area Teams Central Area 0002

### 2.2 Policies:

CYSP3  
Safeguarding the Historic Character and Setting of York

CYGP1  
Design

CYGP3  
Planning against crime

CYGP4A  
Sustainability

CYGP4B  
Air Quality

CYGP9  
Landscaping

CYGP13  
Planning Obligations

CYHE2  
Development in historic locations

CYHE4  
Listed Buildings

CYHE10  
Archaeology

CYT12  
Coach and Lorry parking

CYT14A  
Off-Street Car Parking in the City Centre

CYH4A  
Housing Windfalls

CYC1  
Criteria for community facilities

## 3.0 CONSULTATIONS

### INTERNAL

#### 3.1 Highway Network Management

i. The Transport Impact Assessment accompanying the application demonstrates that the development is in a sustainable location, close to several ten minute frequency bus services, and within easy walking and cycling distance of the City Centre.

ii. Car Park Access: the proposed closure of the northern access to Union Terrace car park will divert traffic to the remaining southern entrance. The resulting changes in traffic patterns at peak times on Clarence Street would not cause significant concerns, although there will be an increase in queue lengths at certain times at the remaining exit.

iii. Several items of operational equipment in the car park will need to be relocated or removed, for example lighting columns, pay and display machinery. The applicant has agreed to meet the costs for this pre-development work.

iv. Car Park Capacity: the original proposals meant the loss of 58 car and 2 minibus parking spaces. However, the revised car park layout, with a dual use car/coach parking area, would bring 61 car spaces back into use to meet peak demand. If the proposed multi-storey car park at the District Hospital goes ahead, pressure on Union Terrace car park would be reduced by an estimated 50 spaces per day.

v. There are no highway objections to the application, subject to conditions covering the works prior to development, a method statement for construction and standard highway conditions.

#### 3.2 City Development

The site is not specifically allocated on the Draft Local Plan Proposals Map for the proposed use, which is Class C2. The proposal is required to comply with the relevant Draft Local Plan Policies (these are as set out in Section 2.0 "Policy Context" of this report) and, as such, no policy objection is raised.

#### 3.3 Housing and Adult Social Services

The existing Arclight facility at Leeman Road is in a poor condition and has inadequate facilities. The Council has a strategic responsibility for the provision of accommodation and support to rough sleepers and those that are homeless. Arclight is a key partner providing entry level accommodation and support in line with the prevention of rough sleeping strategy, and is an important partner on the Homelessness Forum. The re-provision of Arclight is a key action in the Council's Housing Strategy, with an essential role in the reduction of rough sleeping and the resettlement process in York.

Housing Services fully supports this application and has worked closely with York Housing Association and Arclight on the redevelopment proposals. Capital grants from both central government and the Housing Corporation have been secured for the scheme, which will be a purpose designed building which will look to the future and meet the aspirations of the customers with a view to a life changing culture through training, IT, medical and counselling facilities. This project will provide homes for 34 people. Whilst in class use C2, it also contributes to the provision of affordable housing in York.

### 3.4 Environmental Protection

- i. Confirmation is given that a Noise Assessment is not required for the scheme.
- ii. Contaminated land issues - Any planning permission should include conditions requiring an appropriate investigation and measures to deal with any contamination that may have resulted from previous uses, and the present car park use, of the site.
- iii. Air Quality - There are no concerns about either the impact of existing air quality on future occupants of Arclight, or the impact of the proposal upon future surrounding air quality.
- iv. Noise and Other Amenity Issues - residents' bedrooms are on the opposite (west elevation) of the building, away from the car park and protected from noise. However, staff bedrooms and lounges (on the east elevation) do face the car park. Even so, it is still unlikely that the noise climate is sufficient to place the site in Noise Exposure Category C or D, which would inhibit residential development. To ensure that there is, indeed, no adverse impact, a condition should be applied for sound attenuation measures and window details.
- v. A condition should be applied requiring details of any air extraction systems, to protect the amenities of occupants of nearby properties.
- vi. Delivery and refuse vehicles will need access to the site, possibly early in the morning. However the nearest residential properties are considered to be far enough away to avoid adverse effects. No condition is requested in this regard.

### 3.5 Urban Design and Conservation

Comments upon the original submission are summarised, together with those upon revisions that were subsequently submitted.

- i. Existing setting: The site adjoins the curtilage of Bootham Park Hospital. The grade I listed hospital buildings are situated within their own landscaped grounds. The hospital chapel (listed grade II and now used as offices) and the line of mature trees immediately within the grounds, as seen from Clarence Street over the clamp brick boundary wall, have considerable amenity value. They enhance the setting of the conservation area, in contrast to the car park itself.

ii. Siting of building: The car park creates an uncharacteristic openness and lack of enclosure in the area. However, it does allow views towards the grounds of Bootham Park Hospital when looking from Clarence Street. The proposed siting of Arclight will remove some of these views. Alternative siting alongside the access road to Union Terrace, would have maintained more of these views, and restored enclosure to the access road itself. However, it is appreciated that there are other considerations, including the functional requirements of the scheme and the amenities of existing residents. On this basis, the siting, as proposed in the application, is reasonable.

iii. The overall massing and height of the building is compatible with its neighbours on Union Terrace. Placing the lower parts of the building to the rear helps to separate the form of the building from the grounds of Bootham Park Hospital. Boundary treatment is important, to "anchor" the building and make it look natural in this location. There were initial concerns about the "woven metal fabric" fence, originally specified in the application. In response, further information submitted indicates a lighter form of fencing, greened by landscaping.

iv. Pedestrian entrance: There were initial concerns about the separate entrance to the building from Clarence Street (rather than using the existing footpath). Following further explanation by the applicant the need for this arrangement is accepted.

v. Roofline: The proposed rooflights (called "lanterns" in the application) provide essential skyline interest, without appearing prominent. The applicant has confirmed that no plant equipment and so on will be added to the roof.

vi. Elevational design: Initial impressions were that the front elevation to Clarence Street could be simplified, by reducing the number of different window sizes and other elements. However, following constructive discussions with the architect, large-scale details are being prepared, because re-assurance is needed that the design concept will be carried through into a quality, cohesive and practical end result.

vii. Materials: Brickwork is proposed for the external elevations. The choice of bricks and their detailed construction needs to be carefully considered. The architects will submit further details and a presentation board for the Committee meeting.

### 3.6 Principal Archaeologist

This site lies inside the Area of Archaeological importance and in an area which has produced significant Roman, medieval, and post-medieval deposits. The site lies on the north side of the medieval walled area, outside the Roman legionary fortress and in a medieval suburb of the City.

The archaeological background is explained in the Archaeological desk-based Assessment prepared by Field Archaeology Specialists and submitted with the planning application. Given the important archaeological background of the site an archaeological evaluation of the proposed footprint of the Arclight Centre was

requested. This request is in line with Policy HE10 and the advice contained in PPG16. The evaluation demonstrated that there are Roman, medieval and 18th and 19th century features and deposits on the site.

The development proposal will have an effect on the archaeological deposits which are preserved within the boundaries of the site. The Roman deposits merit preservation in-situ in line with Policy HE10. Policy HE10 requires that a development destroy less than 5% of the archaeological deposits preserved within the development. A piled or raft foundation with a formation level no deeper than 1m from the current car park surface will meet this requirement. Where excavation works associated with service trenches or other elements of the scheme penetrate into Roman deposits then these must be excavated archaeologically.

Standard conditions should be applied to cover a programme of archaeological work, a watching brief and foundation details; together with a specific condition to protect archaeological deposits below a level of 11.9 m AOD.

### 3.7 Landscape Architect

The proposed building is clear of any overhanging tree canopies, with the largest canopy (Sycamore T5 on the reference plan) overhanging the proposed walled garden area. Given the existing car park wall, service trench and change in level, the building is compatible with adequate root protection. It would be preferable for the proposed connection to the surface water sewer to be re-routed, outside tree canopies. The boundary fencing proposed for the scheme is inappropriate, it needs to complement the architecture of the building.

### 3.8 Sustainability Officer

The green roofs and solar panels proposed are welcomed. However, in general there is no commitment to undertake a BREEAM assessment. To do so would resolve many of the issues put forward in the Sustainability Statement, which currently still require further consideration and confirmation. These include:-

- Whole Life costings : very welcome, but further details needed.
- Bio-climatic design/orientation and solar energy: design measures could improve the efficiency of the building. Sustainable design and construction principles in this regard should have been incorporated at the earliest design stage.
- High Thermal Mass : proposals welcomed, but confirmation of details is required.
- Renewable and Sustainable Energy Systems: the proposals are generally acceptable, but information is needed about heating and ventilation. The scheme will be a high hot water user and a solar thermal system is appropriate. A condition is needed to ensure details are agreed.
- Efficient Use of Water: the proposal for water-efficient appliances is welcomed, but should include water butts. The green roof will help to mitigate the drainage problem, but an alternative would be a rainwater harvesting system. A condition is needed for a detailed feasibility study.
- Horticultural Materials: FSC timber should be used, not just horticultural materials.

- Alternative Construction Techniques: this is welcomed.
- Materials from Renewable/Recycled Sources: welcomed but further details are required.
- Reduction of Site Wastes during Construction and Operation: again welcomed but further details needed.

In conclusion, the Sustainability Statement is welcomed, but more details are needed. If the application is approved the main priorities for sustainable construction and design rest with:

- A BREEAM assessment prior to commencement of work.
- Details of a solar thermal system.
- Feasibility study for rainwater harvesting.

## EXTERNAL

### 3.9 Police Architectural Liaison Officer

The applicants undertook several pre-application consultations with the police. Arclight is a unique development and existing police statistics relevant to the site are of limited value in anticipating the impact of the development. Reported crimes at the existing Arclight premises, and the surrounding Leeman Road area, reflect the average rate of reported crime throughout York generally. The Leeman Road area has not been identified as a mini-zone for burglary or car crime, in contrast to some other areas. On available information recorded crime cannot be attributed to the existing Arclight Centre.

A high standard of robust management systems and agreed protocols for day-to-day operation of the proposed scheme will be critical to its success. This should include ongoing liaison with North Yorkshire Police, and other appropriate agencies, and strong, positive lines of communication with local residents' groups.

As a Yorkshire Housing Association development, the needs of "Secure by Design" must be met, for example for the detailed design of external doors, security lighting, and windows.

### 3.10 Yorkshire Water

Water Supply - can be provided under the terms of the Water Industry Act, 1991.

Waste Water - if planning permission is granted, conditions should be attached, to protect the local aquatic environment and Yorkshire Water infrastructure; including the protection of existing sewers; separate systems of foul and surface water; drainage design details; and surface water discharge to be restricted to the level of run-off as the car park use of the site.

The applicant should approach the relevant drainage authorities, to establish a suitable watercourse for the disposal of surface water. Alternatively, Sustainable Systems (SUDS) may be considered e.g. use of soakaways/permeable hardstanding. If any part of the site, or any basement, is below the level of a

connection into a public sewer, measures may be to avoid flooding of the development.

### 3.11 Conservation Advisory Panel

At its initial meeting, the Panel felt that the elevational treatment indicates a panel fabrication rather than the brick structure that had now been agreed. There was some concern about how this elevational treatment could be achieved in brick. The Panel would prefer to see railings rather than a mesh fence, possibly with thorny shrubs. No objections to the sedum roof but the Panel would like to see further details.

At a further Panel meeting, the architect responded to these concerns. The Panel were satisfied regarding the structural integrity of a brick façade. However, concerns remained about the, as yet, unresolved choice of materials, and some elevational details; together with maintenance, especially of the flat roof and dormer windows. Their comments on the boundary treatment were re-iterated.

### 3.12 Guildhall Planning Panel

No objections. The Panel were impressed by the wealth of explanatory and supporting information provided. However the Panel were concerned about:-

(i) the scale and elevations of the proposal, which are regarded as uninspiring and creating (counter-productively) a heavily underlined institutional identity at this prominent location.

(ii) the absence of more information about the specific materials proposed.

(iii) the type and height of the proposed perimeter fencing, which should be softened (made less stark) by planting along the outer perimeter.

These comments were maintained about the revisions to the scheme.

### 3.13 Neighbours (main consultation expired 2 Jan. 2007, with extra consultation regarding a reference plan, which expires on 18 January)

14 letters of objection (including one letter signed by the occupants of 6 separate properties) and 2 letters of support have been received at the time of writing. Objections are summarised under each of the main issues of concern arising. Most letters specify more than one reason for objecting, as set out below.

#### i. Site Selection

5 letters out of the total of 14 include objections in principle to the selection of the Union Terrace site for Arlight.

- logically, an arrangement with the developers of Hungate and Piccadilly would have provided a suitable long term site.
- the applicants have achieved a scheme which best suits the location they have been given. However all these efforts are being let down by choosing a sub-optimal site, which best suits "political" motives, rather than the true needs of York residents and Arlight users.



- inadequate research of alternative locations, due to tight timescales imposed by meeting funding deadlines. York Central site should be considered, in accordance with the Draft Local Plan Strategy (Chapter 1). Union Terrace should not be deemed suitable by default because of timescales.
- even the Council have said Union Terrace is not the ideal location, but the best on offer.

## ii. Loss of Car Parking

9 of the letters of objection (including that signed by the occupants of 6 different properties) are concerned about the loss of car and/or coach parking capacity at Union Terrace. Most comments were made before the submission of the amended flexible layout for car/coach parking.

- Union Terrace in York's main coach park. Visitors' first introduction to York will be the presence of the homeless hostel.
- car park is extremely busy, often acting as an overflow for York Hospital, Bootham Park Hospital and the Psychiatry Unit. The York Hospital reception regularly divert out patients and visitors to Union Terrace, because the hospital car park is inadequate; made worse by refusal of planning permission for a new car park at the Hospital.
- businesses on Clarence Street, including local shops, will lose trade, all year round.
- knock-on effect with unauthorised parking taking place in tenant's designated space.
- loss of spaces will cause chaos and serious traffic problems in the area, particularly Wigginton Road.
- increased pollution and deteriorating air quality in the area through increased congestion, as people seek other car parks or queue for spaces at Union Terrace.
- loss of parking revenue to the City.
- based on research information submitted, the car park will be over-full for 10 months of the year.

## iii. Too Many Non-residential Social Facilities in the Area.

7 of the letters of objection (including that signed by the occupants of 6 separate address) included concerns that the area already has a concentration of too many similar social care facilities and institutions. These are listed by people as Bootham Park Hospital, Salvation Army (Gillygate), Mental Health Day Centre (Union Terrace), Sycamore House (Clarence Street), Probation Service (Lowther Street), Cotford Centre, methadone dispensing at pharmacy (Clarence Street).

- area overloaded with institutions.
- potential detrimental impact on local businesses.
- contrary to Policy H17 Residential Institutions.
- proposal will lead to unhealthy concentration of mental health needs and drug use in the locality, with possible threat to local residents and their children.
- adverse impact upon residential amenity.
- local residents already carry a "fair share" of the City's social responsibility. The proposal will lead to a geographic inequality of provision in the City.

#### iv. Focus for Anti-Social Behaviour

In conjunction with iii. above, six of the letters of objection are concerned specifically about increased crime levels, noises and disturbance, and fears about personal safety resulting from the proposal.

- Arclight will be open all day, every day, also attracting people from other towns, with a serious risk of people hanging around causing noise and nuisance to local residents.
- been suggested that users could bring their dogs, which is unacceptable in an area filled with families and young children.
- insufficient attention given to security of local residents. Crime levels increased in Leeman Road whilst Arclight situated there.
- not saying necessarily that Arclight users will commit crimes, but will attract others who may do so.
- crime may be committed against the Centre impacting upon local residents.
- the existing Arclight is not in a residential area, compared to the proposal. Visitors to the Railway Museum would not be aware that incidents could be reported to Arclight management.
- fear for personal safety and that of vulnerable and elderly neighbours, and for personal property, with convicted criminals living nearby.
- increased drug and alcohol abuse in the area.
- in November 2005, planning permission refused for a hostel in a residential area at Millfield Road, because of comparable concerns about residential amenity.
- will be beacon for anti-social behaviour in Clarence Street - a main route for night-time revellers, and close to Bootham Park where illegal drug activity takes place.
- contravenes Policy C1 - Community Facilities.

#### v. Impact upon the Setting of Listed Buildings and the Conservation Area.

7 of the letters of objection refer specifically to the adverse impact of the proposal upon the setting of Listed Buildings (mainly Bootham Park Hospital, the former Chapel), the surroundings of Bootham Park and the overall character of the Conservation Area.

- due to its size, the scheme will dominate the skyline and be detrimental to the conservation area, which includes Union Terrace.
- site close to Minster and City Walls, in a tourism area. It contravenes Policy SP3, which seeks to protect the Minster's dominance, at a distance, and the York skyline and roofscape.
- views of Bootham Hospital and the Chapel will be cut off, changing the nature of the area.
- "corridor" effect will result between proposed building and end property of Union Terrace.
- properties in Union Terrace will be overshadowed/dominated, contravening Policy GP1 - Design.
- totally at odds with its location; not addressing the problem of visual impact on the setting of an extremely important group of Listed Buildings. Contravenes PPG15. The proposed ugly building will detract significantly from the setting of the Grade I

Hospital; in itself warranting refusal of planning permission. New building will be only 5 metres from listed boundary wall of Bootham Park.

- the site is flat, emphasising the visual intrusion of a development of this scale upon the conservation area, with materials out of keeping with nearby Victorian Terraces. This contravenes Policy C1 - Community Facilities.

vi. Architectural Design and/or Materials Inappropriate for the site.

9 of the letters of objection (including the letter signed by occupants at several different addresses) consider the design of the building to be unattractive and out of keeping with the surroundings.

- fails to complement the character of Union Terrace, for example the flat roof (and lack of the traditional tiles/slates on a pitched roof) will be an affront. Also makes the solar panels less effective if at a shallow angle. Flat roofs are an abomination.

- the coloured reveals on some windows are structurally and decoratively inappropriate.

- windows should be more regularly spaced to reflect Union Terrace.

- will change the character of the neighbourhood.

- materials out of keeping with surroundings.

- proposed building more institutional than residential, demonstrated by the 2m high fence.

- no attempt to blend in with local housing.

- contravenes Policy C1 - Community Facilities - which states that development should be of a scale and design appropriate to the character and appearance of the area.

- proposed size and nature of building totally out of character with existing architecture in the locality.

- fails to reinforce the local distinctiveness required by PPS1.

- even more unsuitable to the Conservation Area than the hospital's multi-storey car park that was refused.

- concern at use of brick façade: brick soon looks "dated" and in mass looks institutional, contrary to Policy GP1 - Design.

- contravenes Policy HE2 - Development in Historic Locations.

- the high quality, innovative architecture needed for a "flagship" building is not fulfilled. A flagship building should be unlike others in the City, using high quality, unusual materials, details and finishes. Instead the design submitted is driven primarily by cost and ease/speed of build.

vii. Drainage

5 of the letters of objection (including the letter signed by the occupants of six separate properties) state that drainage in the area is inadequate to cope with the development.

- scheme drains cannot be connected into the same drains as Union Terrace and the hospital - the Victorian drainage system in Union Terrace is not adequate to cope with any extra drainage. In August 2004, after a downpour, all basements in Union Terrace were flooded with a mixture of surface water and sewage. In 2005 part of Union Terrace flooded.

- there were no problems prior to the Ripon and St John, and 81 Clarence Street, developments; thus there are great concerns if Arclight is approved as well. Notably, York Council could not obtain drainage details from those developments because they were not dealt with by the Council's Building Control Section.
- situation for residents in Union Terrace will become untenable. Residents are already having difficulties getting insurance.
- one resident in Union Terrace says his basement has flooded with sewage four times in the last 6 years.
- flooding also experienced in Portland Street.
- putting a sedum flat roof on the building is more of an admission of a groundwater and drainage problem, than any contribution to the locality's character.

#### viii. Archaeology

3 letters of objection are concerned about the effects of the proposal upon archaeology, one of which was written after the Archaeological Evaluation was submitted.

- in site selection, Union Terrace claimed to be only one without significant archaeological problems. Yet the planning application mentions significant archaeological remains.
- a desk-based assessment only (as submitted with the original application) is deficient.
- inadequate archaeological evaluation.
- concrete raft foundation would be adequate; any other type of foundation would be a travesty of the duty to protect York's historic and archaeological heritage.
- no mitigation of impact on archaeological deposits.
- application should not be approved until archaeological assessment completed, as important remains have been identified.

#### ix. Air Quality

2 letters of objection include concerns that the residents of Arclight will be subject to pollutants from coaches and cars in Union Terrace; particularly with the cold starting of engines and coaches allowing engines to idle for prolonged periods.

#### x. Other Issues

Individual objections or comments about the scheme were also included in the letters received, as follows:

- No positive commitment to sustainability.
- Support for the CCTV provision.
- Problems for pedestrians crossing Claremont Terrace, because there is no "green man" controlled crossing.
- Concerns about construction noise.
- Union Terrace will be used as a short-cut by Arclight residents to the nearby Spar shop.
- Concern about the effect upon the trees inside the Bootham Park wall.
- The proposed garden layout is too rectangular.

- The proposal will be near a mobile telephone mast, with implications for the health of residents.
- If the scheme is approved, alleys to the rear of both sides of Claremont Terrace should be "alleygated".
- The proposal could be a "green light" for other developments on Union Terrace.

#### xi. Letters of Support

2 letters of support have been received, saying that Arclight's present facilities are inadequate, that York has an opportunity to take the lead in providing properly for homeless people, and that a new building will make the work easier for the staff and be more useful and comfortable for the residents.

#### 3.14 Site Notice (expired 24 Nov. '06)

No comments that can be attributed directly to the site notice received.

#### 3.15 Press (expired 22 Nov. '06)

No comments that can be attributed directly to the press notice received.

#### 3.16 York St John University

Letters of support have been received from the Vice-Chancellor and the Director of Facilities, They give warm support for this innovative approach to creating purpose-built facilities for Arclight, which will enhance the environment substantially. Earlier view reiterated that there would be benefit in locating this community in the Clarence Street neighbourhood. Possibilities for collaborative working with Arclight are being discussed. Plans given unreserved support, as taking on board the numerous challenges and requirements of the scheme extremely effectively. The development is considered to be welcoming and attractive.

#### 3.17 North Yorkshire and York NHS, Primary Care Trust

Welcome the excellent support for the homeless provided by Arclight. It is right to provide the service within a purpose built building in the community. However, two main concerns are: (i) loss of car parking would severely inconvenience many patients, visitors and staff of the District Hospital and Bootham Hospital. If remaining capacity is not adequate, details are requested of alternative measures (ii) personal safety of staff and vulnerable patients, because security of the hospital building and grounds is already a problem; any increase in risk needs to be avoided.

A further letter was received following consultation upon the amended car parking arrangements. These are welcomed, as removing some of the uncertainty about parking for the hospital, pending further provision upon the hospital's own site. The Council are requested to consider a "movable" bollard system to increase the flexibility between car and coach parking, even further.

#### 3.18 English Heritage

Broadly support the design approach. In the context of the surrounding historic built environment, it would sit comfortably adjacent to the conversation area. The design should be kept simple and the choice of materials is key. It is now also necessary to have regard for the potential for further re-development of this visually prominent car park. Recommend that the application be determined in accordance with national

and local policy guidance, and on the basis of the Council's specialist advice. It is not necessary for English Heritage to be consulted again.

### 3.19 The Salvation Army

A letter has been received on behalf of the Salvation Army Citadel in Gillygate. It asks if Arclight will be large enough to provide offices for the several social workers currently based at the Citadel, at a cost to the ratepayers. An alternative is suggested: that the Council buy and use the Citadel for Arclight, whilst assisting to re-locate the Citadel. Attendees at Sunday services are declining. The Citadel is too isolated from its potential attendees. Sunday parking charges need to be avoided if it is to survive much longer.

## 4.0 APPRAISAL

### 4.1 Key Issues

- A. Site selection for re-locating Arclight.
- B. Relationship with the existing community: safety and security.
- C. Concentration of social/care facilities in the area.
- D. Car/Coach Parking.
- E. Effect upon the setting of Listed Buildings and the Conservation Area.
- F. Architectural Design.
- G. Archaeology.
- H. Drainage.
- I. Air Quality.
- J. Surrounding Highway Network.
- K. Sustainability.

4.2 The POLICY CONTEXT of Government Social and Planning Policy, and Regional and Local Planning Policies is summarised below.

### GOVERNMENT SOCIAL AND PLANNING POLICIES

#### (i) The Homelessness Act 2002

requires local authorities to carry out a homelessness review for their district, and to formulate a strategy for future provision for homeless people.

#### (ii) Sustainable Communities : Settled Homes; Changing Lives (ODPM : March, 2005)

Sets out the Government's new approach to tackling homelessness. It says that "hostels will cease to be a place of last resort, but instead will be centres of excellence and choice which positively change lives".

#### (iii) Hostels Capital Improvement Programme (ODPM : September 2005)

This outlines how the Government will allocate funding and the key outcomes to be delivered.

(iv) PPSI : Delivering Sustainable Development (2005)

PPSI states that one of the Government's aims for sustainable development, which include social progress which recognises the needs of everyone. It stresses the importance of pre-application discussions and community involvement in the planning process. Regarding the physical design of development, good design is seen as a key element in achieving sustainable developments: developments to respond to their local context, to create or reinforce local distinctiveness. Also safe and accessible environments should be created, where crime and disorder, or fear of this, does not undermine quality of life or community cohesion.

(v) PPS3 : Housing (2006)

PPG3 was still operative when the application was submitted but has been superseded by PPG3. It sets out the Government's strategic housing policy objectives, including the need to create sustainable, inclusive, mixed communities.

(vi) PPG13 : Transport (2001)

Promotes more sustainable transport choices and reduced travel needs, especially by car.

(vii) PPG15 : Planning and the Historic Environment (1994)

Provides advice on controls for the protection of historic buildings and conservation areas. This includes the desirability of preserving the setting of listed buildings. It advises that new buildings should respect their context; not necessarily by imitating earlier styles, but by high quality design that creates harmony.

(viii) PPG16 : Archaeology and Planning

Sets out Government policy on archaeological remains and how they should be preserved or recorded.

(ix) Safer Places : the planning system and crime prevention (ODPM : April 2004)

Design and layout measures for crime reduction, as part of creating sustainable communities are outlined : for example well-defined routes and entrances; well-designed security; and management and maintenance.

REGIONAL SPATIAL STRATEGY FOR YORKSHIRE AND THE HUMBER to 2016 (December 2004) - the RSS

Draft Policy YH1 - Overall Approach to the Region - states that growth and change will be managed across places and communities: to create attractive, cohesive and safe places; enhance the built heritage; and improve people's access to housing, employment and other services.

NORTH YORKSHIRE COUNTY STRUCTURE PLAN (1995)

This plan includes Policy H9 - the extension of residential use in and around York's historic core, and Policy E4 - affording protection to areas of special architectural or historic townscape.

#### LOCAL CITY OF YORK SOCIAL AND COMMUNITY POLICIES

(i) City of York Homelessness Review & Strategy 2003-2008

The strategy was prepared in response to the Government's Homelessness Act 2002. It aims to prevent homelessness wherever possible, and ensuring an adequate supply of accommodation and appropriate support for those resettled after homelessness.

(ii) York City Vision & Community Strategy 2004-2004

The strategy includes the aims for: designing out crime in neighbourhoods; creating cohesive communities; and to further develop partnership agreements with the public and voluntary sector to improve health and social care services for the people of York.

#### CITY OF YORK DRAFT LOCAL PLAN POLICIES

Policy SP3 - Safeguarding the Historic Character and Setting of York:  
Gives high priority to the protection of the historic character and setting of York.

Policy GP1 - Design:  
Expects development proposals to respect or enhance the local environment.

Policy GP3 - Planning Against Crime:  
Requires new development to incorporate crime prevention measures, such as natural surveillance of public spaces, satisfactory lighting and CCTV.

Policy GP4a - Sustainability:  
Requires proposals for all development to have regard to the principles of sustainable development: for example contributing towards meeting social needs and to safe and socially inclusive environments; being of high quality design, to conserve and enhance local character and distinctiveness; and maximise the use of renewable resources and renewable energy sources.

Policy GP4b - Air Quality:  
Has a requirement for proposals outside an AQMA (Air Quality Management Area) to assess their impact on air quality, including where car or coach parking is being provided.

Policy GP9 - Landscaping:  
Where appropriate, requires development to incorporate a suitable landscaping scheme.

Policy GP13 - Planning Obligations:



Expects developers, where appropriate, to enter into planning obligations, for example to provide infrastructure and other significant consequences of a proposed development.

Policy HE2 - Development in Historic Locations:

Requires proposals to respect the setting of listed buildings or conservation areas adjoining the application site.

Policy HE4 - Listed Buildings:

States that development in the immediate vicinity of listed buildings will only be permitted where there is no adverse effect upon the character, appearance or setting of the building.

Policy HE10 - Archaeology:

States that development which disturbs existing ground levels on sites within the York City Centre Area of Archaeological Importance will be granted planning permission provided that:

- (a) applicants permit a field evaluation, approved by the Council, to assess the extent and importance of any archaeological remains.
- (b) applicants can demonstrate that less than 5% of any archaeological deposits will be disturbed or destroyed.

Policy T12 - Coach and Lorry Parking :

States that permission will not be granted for development resulting in a loss of existing off-street coach and lorry parking, without the provision of suitable alternative sites.

Policy T14a - Off-Street Car Parking in the City Centre :

States that the target level of parking will be kept under review, in relation to both economic and environmental considerations.

Policy H4a - Housing Windfalls :

States that proposals for residential development, on land not already allocated on the Proposals Map, will be granted permission where the site is vacant, derelict or under-used.

Policy C1 - Community Facilities :

States that planning permission will be granted for social, health and community facilities, provided the proposal is of appropriate scale and design; and that it meets a recognised need.

#### 4.3 BACKGROUND TO THE CURRENT PROPOSALS

The sequence of events leading to the proposals are summarised below.

- (i) The purpose-designed 1980's building, adjoining the Black Swan, in Peasholme Green provides accommodation for up to 22 homeless people. However, street counts in 1999 identified that provision was needed for 19-40

people. Thus in December 1999, the Arclight charity was established in the Bullnose Building, Leeman Road. It has continued there through renewals of the original temporary planning permission. In July 2005, Arclight also opened Baseline in Piccadilly, although this is a non-residential facility.

(ii) All three sites are affected by redevelopment proposals, within the foreseeable future. In any event, the Bullnose Building can only provide basic dormitory accommodation, falling far short of what the legislation now demands. Thus Arclight worked with York Housing Association (YHA) and the City Council, to consider potential locations for a new facility; culminating in Union Terrace being selected by the Council's Executive as the site upon which YHA should submit a planning application. This decision also committed YHA to help in setting up, and be part of, the Residents' Liaison Group, to discuss safety, security and the actual building location within the car park. The relocation of the Peasholme Green building is also being pursued by the Council and the Peasholme charity.

(iii) Different locations for the building within the car park were considered. The final choice, as submitted in the application, was influenced by balancing various factors that arose during pre-application consultations; including archaeology, air quality, car park management and comments from the Residents' Liaison Group.

(iv) The type of facility for homeless people now needed to meet the requirements of the Homelessness Act 2002, and related Government legislation, is described in the Planning Statement submitted in support of the application. In essence accommodation must no longer be just a place where a disadvantaged person is able to sleep for the night. It must be a facility that provides a raft of activities and services in-situ, which are designed to help people reintegrate into mainstream society, with the ultimate aim of eradicating the problem of homelessness. Government policy requires new facilities to be "centres of excellence and choice" and "places of change".

(v) The statement also explains that Arclight's work and "ethos" is exactly in line with Government thinking. It is not just about providing an overnight stay and leaving residents to their own devices. It is about creating a managed and secure environment, that provides for the welfare and rehabilitation of homeless people. These aims are to be realised through the range of facilities provided in the proposed scheme, combined with its physical design and layout. Arclight works very closely at the front line with statutory and voluntary bodies on service delivery, including the Police, Health Trusts and the Council, to deal with homelessness in York. It has a management team of 4, with 22 full and part time workers and 2 volunteer coordinators.

#### 4.4 THE APPLICATION SITE

i. The site occupies 0.196 hectares of land in the north-west section of Union Terrace car park, which has a total area of 1.2 hectares. The north-west boundary of the site follows the 2m high brick boundary wall, which currently encloses the grounds of Bootham Park Hospital. The north-east and narrower "end" of the site adjoins the access road to Union Terrace and the Hospital. A new tree-lined pedestrian route is proposed, through the existing car park, to link the front entrance

and courtyard of the new building directly to Clarence Street. The proposed building is three-storeys high, with single and two storey extensions to the rear. These are designed like "arms" to create an enclosed rear garden adjoining the Bootham Park boundary wall.

ii. The scheme content includes 35 resident bedrooms on the ground, first and second floors; with staff accommodation and residents' facilities, including café, workshops, training and IT rooms, meeting spaces, gymnasium, healthcare, one-to-one rooms, reception suite and offices. Three vehicle parking spaces are provided for operational needs, reached via the access road to Union Terrace. Eight cycle parking spaces are provided. The site boundary would be formed by a 1.95 m high fence, to separate the development from the car park, with associated landscaping.

iii. The application site itself and the car park are not within the Central Historic Core Conservation Area. However, the north-west side of the site, and part of its north-east end, do immediately adjoin the conservation area, which includes Bootham Park Hospital and the west side of Union Terrace. The Hospital building is listed Grade I and approximately 125 m west of the application site; with the former chapel to the Hospital, a Grade II Listed Building now used as offices, 30 m to the west. A row of mature trees within Bootham Park grounds, running alongside the boundary wall, are a strong landscape feature and setting for the grounds.

iv. The Planning Statement explains that siting the facility in the north-west section of the car park balances the various locational constraints with the need for a harmonious and, as far as possible, quiet environment; enabling residents to feel that a new start is possible, thereby encouraging them to engage fully with the resettlement programmes and initiatives.

v. The original scheme would have meant the loss of 58 car parking spaces at Union Terrace, based upon current arrangements for car and coach parking. However, revised proposals for the operation of the remaining car park will enable cars to share part of the coach park area, matching seasonal demands. This will enable overall car and coach parking levels to be maintained.

#### 4.5 Key Issue A. SITE SELECTION FOR RE-LOCATING ARCLIGHT

i. It is stressed that this application must be considered on its own merits, in relation to the particular site and planning issues raised by the application. However, some objectors are concerned that alternative sites have not been researched sufficiently and that, for example, Hungate, Piccadilly or York Central would have provided long-term solutions.

ii. Site selection has involved the City Council, York Arclight and York Housing Association (YHA) working together throughout. Initially in 2005, a feasibility study was carried out to use the former Shipton Street School site, and consultations undertaken with local residents. However, difficulties in resolving the various issues that arose led YHA to withdraw from this site.

iii. A major exercise was undertaken during 2006 to identify potential alternative sites, consult with the public and consider reports at the Council's Executive

Committee. Thirty-six sites were considered in all, as a first stage. Each site needed to meet 13 criteria. Of these 3 criteria were of paramount importance (a) availability within the funding timescale decided by DCLG (Department of Communities and Local Government), meaning a start on site by March 2007 to benefit from the £1.65 m being made available for facilities in York (b) size (c) location e.g. within easy walking distance of the city centre. Only four sites met these essential criteria and were short-listed; Union Terrace, Marygate and Nunnery Lane car parks and 17-21 Piccadilly. Additional information and technical evaluation was then provided in each case. The exercise was extensive and Executive Members finally resolved that the Arclight planning application should be submitted for Union Terrace. Regarding Piccadilly, which was specifically mentioned by an objector, problems were foreseen in providing the accommodation needed in a manageable form with very little, if any external communal space. In addition, finding a retail partner for the ground floor presented practical and timescale problems.

#### 4.6 Key Issue B. RELATIONSHIP WITH THE EXISTING COMMUNITY: SAFETY AND SECURITY

i. The Planning Statement with the application explains that the applicants (York Housing Association) and Arclight undertook pre-application consultations with the Police and the Local Residents' Group, giving serious consideration to security issues. As a result the scheme incorporates a range of physical design and management measures to help to address residents' concerns about security.

ii. The objections received about this issue from the local community include concerns about the area becoming a focus for anti-social behaviour, with fears for personal safety; and that Arclight will be located much nearer to residential properties than the existing Leeman Road premises. Officers appreciate that concerns still remain, following the pre-application consultations. In response, the various safety and security measures that have been brought forward in the application are summarised below:-

- Fundamental to Arclight's work is providing on-site facilities and support, encouraging residents not to wander the streets. This will help to encourage residents to take part in activities within the complex, and minimise the effect on the surrounding area.

- 24 hour supervision by Arclight staff will help to ensure minimum disturbance to local residents from activities within the building.

- CCTV, including coverage of the courtyard entrance, will enable staff to exercise control over comings and goings from the premises.

- The new separate pedestrian entrance from Clarence Street will direct the movement of Arclight users away from nearby houses in Union Terrace.

- Boundary treatment, lighting and controlled access points are designed with security in mind.

- Arclight is committed to continuing involvement in the Residents' Liaison Group, along with representatives of the local community, local councillors, the Police and the Safer York Partnership. This Group would facilitate discussion and action on safety and security.

iii. The Police say that reported crimes in Leeman Road, where Arclight has been for almost seven years, are no higher than the average that would be normally found in the area. It is accepted that the nearest dwellings in Leeman Road are considerably further away, at approximately 300 metres, than at Union Terrace. However, the existing Arclight adjoins the National Railway Museum, with its attendant pedestrian flows.

iv. Clarence Street: Local people who have objected are also concerned about worsening social conditions in Clarence Street, a main route for late-night revellers. However, Clarence Street is a well-lit route and Arclight is set well back from Clarence Street, with its own pedestrian access. There is CCTV coverage in the area and Arclight will also incorporate further CCTV.

v. Bootham Park Hospital: Resident fears have also been expressed that the presence of Arclight may worsen the use of Bootham Park grounds for illegal drug activity. The applicant states that the grounds are checked regularly by the Salvation Army Early Intervention team, who immediately alert the relevant agencies. The North Yorkshire and York NHS Primary Care Trust, whilst supporting the application, also say that security of the hospital and grounds is already a problem for the safety of staff and vulnerable patients; and that any increase in risk should be avoided. The Planning Statement says that Arclight have discussed these concerns with the Hospital and the potential for joint working is under discussion. Arclight have expressed willingness to provide regular checks in the grounds with the Hospital management.

vi. An objector refers to the refusal of planning permission for a hostel (Millfield Lodge) in a residential area at Millfield Road in November 2005, and is concerned this a comparable case to Arclight. However, the application involved was for a terraced house, rather than a freestanding facility, with a completely different function and operational working from Arclight. The premises were Bed and Breakfast accommodation for homeless people. They were not supervised on a 24 hour basis and there were no other facilities for residents on the site.

vii. Officers consider that the applicant has addressed local residents' concerns with a range of security measures, that will minimise effects upon the community, as much as possible. Because a new type of facility is being proposed, it is not possible for the Police to quantify exactly what its impact will be. However, with robust management systems for the operation of Arclight, and based upon their assessment of Arclight in Leeman Road, the Police support the scheme. The scheme evolved with the support of the Police in principle. During pre-application discussions, the Safer York Partnership expressed support for the proposals in a letter of 2 October 2006. At the Council's Executive meeting on 2 May 2006, the Police spokesperson said Arclight was well run, and that it actually contributed to reducing crime overall. If the application is approved, continued liaison with residents, the Police and other agencies is essential to resolve any problems that

may arise. Arclight is committed to this. However, officers suggest that planning conditions for the details of physical measures, such as CCTV be complemented by a Section 106 Agreement, requiring details of the Liaison Group to be agreed with the City Council.

#### 4.7 Key Issue C. CONCENTRATION OF SOCIAL/CARE FACILITIES IN THE AREA

i. Objectors are concerned that Arclight will cause an over-concentration of social and care facilities in the locality; to the detriment of residential amenity and local businesses. Some residents quote Policy H17, which states that planning permission will not be granted for residential institutions, if the resulting concentration of residential institutions in the area is likely to have an adverse impact.

ii. The facilities are listed as Bootham Park Hospital, Cotford Centre, Salvation Army (Gillygate), the Mental Health Day Centre (Union Terrace), Sycamore House (Clarence Street), Probation Service (Lowther Street), and methadone dispensing at Clarence Street pharmacy.

iii. Except for Bootham Park Hospital, all the other facilities are thought to be non-residential institutions and cannot be likened to Arclight, therefore there is no conflict with Policy H17. As discussed in Key Issue B, a range of measures and 24 hour supervision at Arclight is proposed, so that there will be as little impact as possible upon resident amenity. In addition Arclight will be a freestanding building, positioned to avoid overlooking towards residential properties and with its own points of access. The Police support the application, and say that the Arclight in Leeman Road has not caused raised levels of crime.

#### 4.8 Key Issue D. CAR/COACH PARKING

i. The Arclight scheme takes up the spaces occupied by 58 spaces in the car park. The original submission was not accompanied by any measures to offset this loss. This led to objections, particularly about effects upon outpatients and visitors to York Hospital and Bootham Hospital, upon local businesses in Clarence Street and increased traffic problems in the area.

ii. In response, the applicant's transport consultant was asked to explore some shared usage of the adjoining coach parking area by cars. Spare capacity can be found there for many days in the year. Conversely when coach demand is higher, car parking demand falls away at that time of year. The consultant's answer is to provide dual use of the southern section of the coach park, controlled by removable bollards. A new link at the southern end of the coach park from the main car park area, would facilitate this. The result would be 12 permanent coach spaces, plus a further 26 when needed. For cars an additional 61 spaces could be deployed when required. A further gain of six spaces is also made adjoining the southern boundary of the application site. The applicant has agreed to fund the necessary changes in the car park layout and to operational equipment. If the proposed multi-storey car park at York Hospital goes ahead, pressure upon Union Terrace car park would be reduced, by an estimated 50 spaces per day.

#### 4.9 Key Issue E. EFFECT UPON THE SETTING OF LISTED BUILDINGS and the CONSERVATION AREA

i. The supporting Planning Statement which includes the Design and Access Statement prepared by the architect, sets out how the urban design and architectural treatment of the scheme has evolved to respect both the historic context and the existing urban grain. The height and long narrow shape of the main three storey building seek to restore the alignment of the original early-mid 19th century terraced properties that existed before the car park. The building would be "greened" by landscaping the edges around it; creating a softer setting in the expanse of the car park on the one hand; and relating to the strongly treed edge and parkland character of Bootham Park, on the other.

ii. Objectors consider there will be an adverse impact upon the historic setting and the Conservation Area : that the scheme will be dominant; cut off views towards the Hospital; be too close to the listed boundary wall of Bootham Park; all contravening PPG15. The Planning Panel is also concerned that the building will have an institutional identity in this prominent location. However, English Heritage and the Conservation Architect consider, in principle, that the scheme is compatible with its setting.

iii. PPG15 requires authorities to preserve the setting of listed buildings and conservation areas. The Draft Local Plan follows this through with specific policies to protect and enhance the historic environment. Officers believe that the siting and overall form of the scheme does respect its historic context. It restores the traditional urban grain and street pattern, whilst creating a building with sufficient presence, in the unhelpful open expanse of the car park, to add to the townscape qualities of the area and "reinforce local distinctiveness" as sought in PPS1. It is also considered that the openness of the car park will still allow some views across to Bootham Park from Clarence Street. Also, it has to be said that this openness is not characteristic, because for the greater part of the period from the 1820's, the area had a tight-knit urban terraced form. It only came about through demolishing Union Terrace. Siting the building alongside the Bootham Park boundary wall also helps to "anchor" the scheme within the car park. The single and two-storey extensions to the rear of the main building, and the enclosed, sheltered rear garden allow the listed wall and new scheme to relate sympathetically.

#### 4.10 Key Issue F. ARCHITECTURAL DESIGN

i. The proposal is a contemporary, brick building. The Architect seeks to achieve a modern interpretation of Union Terrace. The pattern of windows on the front elevation is random, because it follows the internal room layout, as a means of creating an interesting elevation. Windows at the rear (facing Bootham Park) are more regularly spaced, with a modern interpretation of traditional wooden shutters, to draw across at night. The roof would be flat and clothed in sedum planting. Along the roof, "lanterns" sit over each top floor bedroom. They give extra light to the room and complement the dormers and chimneys of the pitched roofs of Union Terrace. The lanterns are zinc clad, through which the Architect wishes to reflect the use of material and craftwork found in York's traditional lead work. The overall height of the proposal is designed to respect Union Terrace. The proposed eaves are a little

higher, but the top of the lanterns relate very closely to the ridgeline of Union Terrace (at 9.90 m).

ii. Objectors are concerned that the scheme fails to blend in, and to complement Union Terrace and the historic context; for example, of the flat roof, window design and some materials. In contrast, one objector says the design does not go far enough towards the high quality and innovation sought in a "flagship" scheme.

iii. PPG15 advises that the design of new buildings in an historic context needs very careful consideration and respect for that context but this does not mean the new has to copy older neighbours in every detail. PPG15 recognises that a variety of styles, materials and forms of construction can form a harmonious group. Officers consider that the form, scale and elevational design concept is appropriate for the site. The rhythm and shape of the windows reflect the interest and elegance of the traditional terrace, in a contemporary way suited to the purpose of the building. The large-scale elevational details requested by the Conservation Architect and further details of the fencing will be reported at the meeting. These are necessary to show how the architectural concept will be carried through into a cohesive and practical end result.

#### 4.11 Key Issue G. ARCHAEOLOGY

i. The original application included a desk-based archaeological assessment, which explained the archaeological background of the site. Because of its importance, the Council's Archaeologist requested an archaeological Evaluation of the area covered by the footprint of Arclight, in line with Policy HE10 and advice in PPG16. The evaluation demonstrated that there are Roman, medieval, post-medieval and 18th and 19th century features and deposits on this site. Roman deposits consist of dumps of material representing landscaping or levelling activity. There is a hint of larger features on the site, although none were observed in the small evaluation trenches. The medieval and post-medieval deposits all indicate that the site was open ground. Only in the late 18th or early 19th century, when Union Terrace was laid out, did the site witness significant construction work. In 1972, Union Terrace was partially demolished and the cellars of the houses backfilled with demolition rubble, and the car park laid out.

ii. One of the reasons for the proposed siting of Arclight in the north-west section of the car park, was the greater potential for finding significant archaeology in the southern part. In addition, the building deliberately follows the alignment of the former Union Terrace, to reduce the impact on Archaeology. The Archaeologist is satisfied with the outcome of the Evaluation, subject to conditions being applied.

iii. One of the objectors considers that the Evaluation under-estimates the importance of the Roman remains, and suggests that a concrete raft foundation is needed. The Council's Archaeologist will report further at the meeting upon this.

#### 4.12 Key Issue H. DRAINAGE

i. Yorkshire Water records show two public sewers close to the application site: a combined surface and foul water sewer running across the middle of the car park,



towards Union Terrace; and a surface water sewer running parallel to, and just inside, the Bootham Park boundary wall. Yorkshire Water require separate systems to discharge foul and surface water from the development; using the existing sewers.

ii. Residents of Union Terrace are very concerned about the development being connected to the sewer used by Union Terrace, which they fear would be overloaded. In 2004, after a downpour, all basements in Union Terrace were flooded with a mixture of surface water and sewage. Part of the Terrace flooded again in 2005. Residents say they encounter difficulties in getting insurance. A resident also refers to flooding in Portland Street.

iii. The applicant's drainage consultant has responded to these concerns, to the effect that the development will actually reduce the likelihood of flooding, the cause of which is not known for certain at this stage. Investigations indicate that the car park drains via the combined sewer in the car park itself, heading towards Union Terrace. However, the surface water from the development will be diverted away from this, into the sewer in the Hospital grounds. This will reduce the discharge into the car park sewer. The foul water from the development would still have to go into the car park sewer, but will be a relatively small part of the total run-off going into that sewer. The consultant estimates peak foul water discharge to be 3.0 - 3.5 litres per second, compared with 30 litres per second from the car park surface. Thus there is still an overall reduction, and potential benefit for Union Terrace.

iv. The consultant does say that the exact location of the sewer in the Hospital grounds has yet to be established. In the event of not being able to locate the sewer, it would be necessary to connect the development's foul and surface water discharge into the combined sewer in the car park. From discussions to date with Yorkshire Water, the consultant says this is acceptable in principle. The sedum roof and landscaping of the scheme will also reduce the run-off of surface water, compared with the car park. However, the preferred solution is to completely take surface water away, to the other sewer, and the applicant is working to this end.

#### 4.13 Key Issue I. AIR QUALITY

i. Some objectors express concern about this, especially with vehicles starting up from cold next to the application site. Environmental Protection are satisfied that the air quality for residents is acceptable, taking into account the adjoining car and coach park for the following reasons:

- Data taken in the Air Quality Management Area (AQMA), at the roadside on Clarence Street, shows the level is below the government's health based 40 ug/m<sup>3</sup>, annual average objective level.

- The proposed building is more than 10 m from the carriageway, so pollution levels at the site will be reducing from that level.

- Residents' bedrooms are on the west elevation, away from the car park, and so are screened from the vehicle emissions from coaches or cars idling. The one resident bedroom window on the east elevation, at first floor level, does not give rise

to concerns from Environmental Protection (Neighbourhood Services). The two staff bedrooms on the east elevation, facing the car park, are at first and second floor respectively. As such they are less likely to be affected by the car park use.

#### 4.14 Key Issue J. SURROUNDING HIGHWAY NETWORK

i. An objector is concerned that the entrance to Claremont Terrace from Lord Mayor's Walk/Gillygate has no "green man" pedestrian indicator and people do not have enough time to cross the road. Yet, this is a main route for pedestrians between the car/coach park and the City Centre. The objector considers that additional pedestrian flows from the development will compound the problem, unless a pedestrian indicator and longer traffic light delay is provided. The comments of Highway Management will be made at the meeting.

ii. Concerns have been expressed about congestion occurring at the southern access/exit point of the car park, when the northern point is closed. However, Highway Management consider, from surveys taken at these locations, that the increases at the southern point would not cause significant concerns; although there will inevitably be an increase in exit queue lengths at certain times.

#### 4.14 Key Issue J. SUSTAINABILITY

i. A Sustainability Statement forms part of the planning submission. It states that the design of the structure and its services are focussed towards reducing whole life costs, by the following:-

- Materials will be self-finished surfaces wherever possible, not needing future maintenance, painting etc.
- Robust fixtures and fittings to reduce maintenance and replacement.
- Building services geared to producing a low energy/low carbon installation.
- External walls of brick, with floors likely to be concrete planks, to create a relatively high thermal mass, i.e. high capacity to store and regulate internal heat.
- Insulation to exceed Building Regulation requirements by at least 10%.
- Sedum roof : reducing heat loss in winter, helping to restrict storm water run-off, absorption of air-borne pollutants.
- Detailed study to be undertaken for using solar thermal panels, photovoltaic panels, and combined heat and power plant.
- Detailed study of every way in which water will be used, to save consumption and energy.
- Evaluation of harvesting of rainwater and grey water.

ii. An objector considers that there is no positive commitment to sustainability in the scheme.

iii. The Sustainability Officer welcomes the proposals, but has set out where further details and evaluation are required. A response is being sought from the applicant. A further report will be made at the meeting, including suggested conditions to address Sustainability.

## 5.0 CONCLUSION

5.1 Government legislation places a duty upon Councils to provide accommodation for homeless people. The facilities to be provided must become centres of excellence and choice, with a range of activities and services, ultimately aimed at preventing people from becoming homeless again. At the local level, the York City Vision and Community Strategy aims to develop further the provision of social care services and create cohesive communities. Government Planning Policies include the Planning Policy Guidance notes (PPG's), some of which are updated to the new Planning Policy Statements (PPS's). Their guidance relates directly to the range of community and physical design issues in this application.

5.2 The above legislation and guidance are material considerations to be taken into account in considering the application. There was an extensive site selection process, leading up to the submission of this application. However, the application must be considered on its own merits, on the basis of the planning issues involved. It is necessary to balance the need to meet policy requirements with any potential adverse impacts of the scheme, and meet the requirements of the York draft local plan policies.

5.3 Arlight is a unique development proposal. The application has benefited from considerable pre-application consultations and discussions. The applicant has responded in a positive manner to the concerns expressed at that stage and during consideration of the application itself; as well as to the challenge of developing on part of an extensive car park, set in a strong historic context.

5.4 Officers consider that, subject to the large-scale design details and further information materials and boundary fencing, the proposed scheme respects the urban streetscape and historic context, of which it would become a part. The architectural design is innovative and with its landscape setting, will create a welcoming building; adding to local distinctiveness, and uplifting the visual qualities of the open expanse of car park. Subject to further details, the proposal includes sustainability measures within the design.

5.5 It is appreciated that there is local concern about the impact of the scheme upon security and social conditions in the area. The applicant has responded with a range of physical design and management measures, intended to minimise any impact. This involves the setting up of a Liaison Group which would include local residents, Bootham Hospital, the Police and York St John's College and other representatives, and the robust management, which the Police Architectural Liaison Officer sees as being critical to the success of the scheme. Officers consider that the applicant has taken all the practical steps currently available regarding security, and that the Liaison Group is essential to deal with any day-to-day or longer-term issues that may arise.

5.6 During the course of the application, subject to any necessary further information, practical solutions are proposed for the remaining key issues: the need to maintain car/coach parking provision; for a drainage system that will not worsen conditions in Union Terrace; planning conditions to protect the archaeological

heritage; safety of the highway network; and the living conditions for residents within the scheme.

5.7 In conclusion, officers believe that, subject to the suggested conditions, the Arclight scheme has brought together, in an innovative and sympathetic manner, the need to provide a centre of excellence for the homeless; whilst responding to its physical context and putting in place measures to minimise any impact upon the local community. An up-date will be given upon outstanding issues at the meeting, further conditions as necessary and a draft Section 106 Agreement. On this basis, the proposal is considered to accord with Policies H9 and E4 of the North Yorkshire Structure Plan and York Draft Local Plan policies SP3, GP1, GP3, GP4a, GP4b, GP9, GP13, HE2, HE4, HE10, T12, T14a, H4a and C1.

## COMMITTEE TO VISIT

**6.0 RECOMMENDATION:** Approve subject to Section 106 Agreement

- 1 TIME2 Development start within three years
- 2 PLANS2 Apprvd plans and other submitted details
- 3 VISQ2 IN Large scale details required
- 4 VISQ4 Boundary details to be supplied
- 5 VISQ8 Samples of exterior materials to be app
- 6 VISQ10 Details of External services to be app
- 7 The development hereby permitted shall not come into use until the following works have been carried out in accordance with details which have previously been submitted to and approved in writing by the LPA, or arrangements entered into which ensure the same.
  - the relocation of two existing lighting units situated alongside the north-western boundary wall.
  - the re-siting of a CCTV camera assembly situated in the north-west corner of the car park.
  - the re-siting of pay and display equipment which currently lies within the development site.
  - the removal of height barrier equipment from the northern entrance of the car park.
  - the removal of bollards from the area of the northern entrance to the car park.
  - the relocation of motor cycle parking stands.
  - any changes or remarking of the car park arising from this development proposal.

Reason: To ensure a satisfactory layout in the car park.

- 8 Prior to any works commencing, details shall be agreed in writing with the LPA of measures to provide dual use parking within the existing coach park area, as shown on the applicant's submitted drawing no Fig 4 rev. A. Once agreed, the works themselves shall be undertaken at the expense of the applicant, to an agreed timetable.  
Reason : To minimise the loss of public parking facilities arising from this development.
- 9 HWAY9 Vehicle areas surfaced
- 10 HWAY14 Access to be approved, details reqd
- 11 HWAY19 Car and cycle parking laid out
- 12 HWAY21 Internal turning areas to be provided
- 13 HWAY31 No mud on highway during construction
- 14 HWAY40 Dilapidation survey
- 15 Prior to the commencement of any works, a detailed method of works statement shall be submitted to and agreed in writing with the Local Planning Authority. This statement shall include the precautions to be taken to ensure the safety of the general public, the method of securing the site, access to the site and the route to be taken by vehicles transporting the demolition and construction material, and the hours during which this will be permitted.  
Reason: to ensure that the works are carried out in a safe manner and with minimum disruption to users of the adjacent public highway.
- 16 A desk study shall be undertaken dating back to 1800 where possible, in order to identify any potentially contaminative uses which have or are currently occurring on the site. This shall include a site description and a site walkover and shall be submitted to and approved by the local planning authority prior to development of the site.  
Reason: to protect human health and the wider environment.
- 17 A site investigation shall be undertaken based upon the findings of the desk study. The investigation shall be carried out in accordance with BS10175: Investigation of potentially contaminated land: code of practice. The results of the investigation shall be submitted to and approved by the local planning authority in writing prior to any development commencing on the site.  
Reason: to protect human health and the wider environment.
- 18 A risk-based remedial strategy shall be developed based on the findings of the site investigation. The remedial strategy shall be submitted to and

approved by the local planning authority in writing. The approved strategy shall be fully implemented prior to any development commencing on site.  
Reason: to protect human health and the wider environment.

- 19 A validation report shall be submitted to and approved by the local planning authority, detailing sample locations and contaminant concentrations prior to any development commencing on site.  
Reason: to protect human health and the wider environment.
- 20 Any contamination detected during site works that has not been considered within the remedial strategy shall be reported to the local planning authority. Any remediation for this contamination shall be agreed with the local planning authority and fully implemented prior to any further development of the site. A timetable of proposed remedial works shall be submitted to the local planning authority prior to any works being undertaken on the site.  
Reason: to protect human health and the wider environment.
- 21 The building envelope of all buildings with a façade onto Union Terrace car park shall be constructed so as to provide sound attenuation against external noise of not less than 36 dB(A), with windows shut and other means of ventilation provided. Windows should take the form of non-opening, fixed glazing with mechanical ventilation from an area away from the car park. The detailed scheme shall be approved by the local planning authority and fully implemented before the use hereby approved is constructed.  
Reason: to protect the occupants from noise.
- 22 Any kitchen extraction system proposed by the applicant must be adequate for the treatment and extraction of fumes so that there is no adverse impact on the amenity of occupiers of nearby premises by reason of fumes, odour or noise. Details of the extraction plant or machinery and any filtration system required shall be submitted to the local planning authority for approval; once approved it shall be installed and fully operational before the proposed use first opens and shall be appropriately maintained thereafter.  
Reason: to prevent the amenity of nearby occupiers of premises.
- 23 Details of all machinery, plant and equipment to be installed in the proposed premises, which are audible outside the site boundary, and the proposed noise mitigation measures, shall be submitted to the local planning authority. These details shall include maximum ( $L_{max}(f)$ ) and average ( $L_{Aeq}$ ) sound levels (A weighted), and octave band noise levels they produce. All such approved machinery, plant and equipment shall not be used on the site except in accordance with the prior written approval of the local planning authority. The machinery, plant or equipment and any approved noise mitigation measures shall be appropriately maintained thereafter.  
Reason: to protect the amenity of occupiers of nearby buildings.

24 No development shall take place until there has been submitted and approved in writing by the Local Planning Authority a detailed landscaping scheme which shall illustrate the number, species, height and position of trees and shrubs to be planted. This scheme shall be implemented within a period of six months of the completion of the development. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless alternatives are agreed in writing by the Local Planning Authority.

Reason: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species within the site.

25 LAND3 Protection of existing planting

26 Unless otherwise agreed in writing by the local planning authority, no building or other obstruction shall be located over or within 3.0 (three) metres either side of the centre line of the 300 mm sewer, which crosses the site.  
Unless otherwise agreed in writing by the local planning authority, no building or other obstruction shall be located over or within 4.0 (four) metres either side of the centre line of the 410 x 440 mm sewer, which also crosses the site.  
Reason: in order to allow sufficient access for maintenance and repair work at all times.

27 The site shall be developed with separate systems of drainage for foul and surface water on and off site.  
Reason: in the interest of satisfactory and sustainable drainage.

28 No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the local planning authority.  
Reason: to ensure that the development can be properly drained.

29 Unless otherwise approved in writing by the local planning authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.  
Reason: to ensure that no foul or surface water discharges take place until proper provision has been made for their disposal.

30 NOISE8 Restricted hours of work

31 ARCH1 Archaeological programme required

32 ARCH2 Watching brief required

33 ARCH3 Foundation design required

- 34 No destruction or disturbance shall be made to archaeological deposits below the level of 11.9 m AOD, except for that caused by the boring or auguring of piles for the building foundation, and except for that caused by any other operations which have been agreed in writing by the Assistant Director (Planning and Sustainable Development) in advance of such operations being carried out.  
Reason : This development will have an effect on important archaeological deposits which are preserved within the site and this effect must comply with the York Draft Local Plan Policy HE10.
- 35 Prior to the commencement of works upon the site, details of physical security measures shall be agreed in writing with the Local Planning Authority, and thereafter retained in place at all times, unless otherwise agreed in writing with the Local Planning Authority. The measures shall include CCTV coverage, lighting, controlled access points and measures to meet "Secured by Design" standards.  
Reason: In the interests of the safety and well-being of residents within the scheme and in the existing community.
- 36 Notwithstanding the information contained on the approved plans, the height of the approved development shall not exceed 9.9 metres, as measured from existing ground level. Before any works commence on the site, a means of identifying the existing ground level on the site shall be agreed in writing, and any works required on site to mark that ground level accurately during the construction works shall be implemented prior to any disturbance of the existing ground level. Any such physical works or marker shall be retained at all times during the construction period.  
Reason: to establish existing ground level and therefore to avoid confusion in measuring the height of the approved development, and to ensure that the approved development does not have an adverse impact on the character of the surrounding area.

## **7.0 INFORMATIVES:**

### **Notes to Applicant**

1. The permission hereby granted is subject to a Section 106 Agreement.
2. REASON FOR APPROVAL:

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, particularly the following: the setting of adjoining listed buildings and the conservation area; impact upon the safety and security of the local community; coach and car parking provision; the archaeological heritage; drainage conditions in and around the application site; air quality for future residents; effects upon the surrounding highway network; and sustainability issues. As such the proposal complies with Policies H9 and E4 of the North Yorkshire County Structure Plan (Alterations No 3 Adopted 1995) and Policies SP3, GP1, GP3, GP4a, GP4b, GP9, GP13, HE2, HE4, HE10, T12, T14a, H4a and C1 of City of York Draft Development Control Local Plan.



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