

**APPENDIX 1 - Nestlé South Development Brief**  
**Comments from consultation**

No.	Ref.	Consultee	Comment	Officer Response	Officer Recommendation
<b>General</b>					
1	NS005	Clifton Planning Panel	We find the report very well thought out and well written. This pre-planning is real planning and we can understand how to measure future plans against the vision of Council Officers.	Support noted	No change
2	NS006	English Heritage	On the whole, we consider that the document sets out a reasonably sound strategy for the future development of this part of the City.	Comment noted	No change
3	NS010	Member of the public	Broadly agree with the approach outlined in your document. York has pioneered planning ideas in the past and this site offers another similar opportunity.	Comment noted	No change
<b>Chapter 1: Vision and Key Objectives</b>					
4	NS007	CBRE	We agree with the Council's overall vision for the site re-development and support the 19 key objectives.	Support noted	No change
5	NS011	Cyclists' Touring Club	We support the overall vision of the site, and broadly the 19 key objectives.	Support noted	No change
6	NS012	Yorkshire Forward	Broadly support the overarching vision of the development brief, specifically the vision to 'create a new inclusive live/work community and cultural hub well integrated with surrounding areas'	Support noted	No change
7	NS015	Natural England	Supportive of the objectives of the Draft Development Brief and welcome the inclusion of opportunities to best enhance the biodiversity of the area.	Support noted	No change
8	NS007	CBRE	Para 1.11 There is a strong need for the planning and highways requirements to be integrated.	Agree	No change
9	NS011	Cyclists' Touring Club	Para 1.11 Support "planning and highway requirements being addressed at an	Comment noted	No change

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			early stage” on the basis that the two are well integrated.		
10	NS006	English Heritage	Whilst we support the thrust of the proposed Vision for this area, it should include reference to the retention of the distinctive character of this part of the City.	Agreed	Amend site vision (para 1.17) to “High quality urban design which recognises the distinctive character of this part of the City, and safe and attractive pedestrian...”
11	NS012	Yorkshire Forward	We welcome the objectives outlined, in particular KO4, KO11 and KO12	Support noted	No change
12	NS008	Nestlé UK Ltd	KO1 We believe that the brief is correct in identifying the most significant buildings on the site as office block 67 and the Joseph Rowntree Memorial Library (Plan 4). All other buildings within the site will be demolished because their retention is not consistent with meeting other stated objectives of the Development Brief. The wording for this key objective should be changed to echo this balance of building retention and new build. A simple change of wording would suffice – “retain some factory buildings of agreed distinction and consider conversion to residential or employment use, as well as new-build development”.	English Heritage are currently making an assessment of the buildings on the site (see comment 55).  Whilst it should not be assumed that <u>all</u> other buildings within the site must be demolished rather than converted, the viability of the a site will influence development proposals.	Add new sentence to end of para 6.5 “Whilst it is recognised that historic buildings can form the basis of successful regeneration projects, it is acknowledged that the retention of buildings with no statutory protection should not jeopardise the overall viability of the site.”
13	NS011	Cyclists' Touring Club	Our preference would be that maximum use of the area for office or light industry/research ought to be the prime objective of development	The brief recognises the importance of providing new employment opportunities, but also suggests other uses which would complement this role whilst improving overall viability in order to re-invest in the main part of the Nestlé site.	No change

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14	NS006	English Heritage	Objective KO2 ought, in addition, to refer to the need to ensure that the redevelopment of this area safeguards the wider character and setting of the historic city. As currently worded, it merely addresses buildings within the site itself.	Agreed. This should be covered in the brief.	Add to end of Objective KO2 “and safeguards the wider character of the area and the setting of the historic City.”
15	NS008	Nestlé UK Ltd	KO5 Whilst Nestlé UK supports Science City, it cannot commit to expanding existing links. There are unlikely to be opportunities to increase research and development activity on the site.	Science City York is a key feature of the city's modernising agenda. Discussions are taking place with the company to see how Nestlé South can maximise benefit for Science City York related activity. The objective of creating a knowledge based hub should be retained in the brief, whether or not Nestlé are directly involved.	Reword KO5 “Creates a hub in the network of knowledge based industries, potentially through existing Science City links with Nestlé”
16	NS012	Yorkshire Forward	The commitment to provide at least 10% of the site's energy from on-site sources will complement the RES and policy ENV5 of draft Regional Spatial Strategy.	Comment noted	No change
17	NS007	CBRE	Wonder if the objective KO12 for on-site energy provision should be higher than the 10% proposed?	This might be possible on site but current policies in other Local Authorities put forward 10% and these have been tested at appeal. The 10% stated in Objective KO12 is a minimum, therefore more than 10% could be provided.	No change
18	NS011	Cyclists' Touring Club	KO12 It ought to be possible to improve on the anticipated 10% on-site energy provision.	See response to comment 17 above	No change
19	NS001	Helmsley Group	Nowhere in the brief is it stressed that this scheme must be financially viable.	Whilst it is recognised in the brief that capital investment is needed	No change

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			Although the council's vision is laudable in many of its key objectives, they will affect the viability of the development significantly and if Nestlé do not secure the right figures for the site they will not continue trading in York. It is crucial that a developer is able to provide a development which works financially both for Nestlé and the developer and therefore is good for the city of York.	to reinvest in the northern part of the Haxby Road site, it is not the purpose of a development brief to establish economic viability. The vision and objectives in the brief provide a background from which development proposals can be drawn. It is the role of the developer to maximise viability within these parameters.	
<b>Chapter 3: Policy Context</b>					
20	NS015	Natural England	Should include Concept Statement to display how development at the site intends to contribute to the local authority's Local Development Framework and relate how objectives and policies within these documents apply to this site in order to deliver the best possible economic, social and environmental benefit.	The brief was produced ahead of the LDF programme in response to the announcement of job losses last year. As such it forms up-to-date, non statutory supplementary guidance to the Development Control Local Plan. It has been through comprehensive public consultation and will carry weight in assessing planning applications.	No change
21	NS017	Environment Agency	Para 3.2 Amend PPG25 to PPS25	Agree	Para 3.2 Amend PPG 25 to PPS 25
<b>Chapter 4: Sustainable Development</b>					
22	NS011	Cyclists' Touring Club	We support the principles for sustainable development	Support noted	No change
23	NS015	Natural England	Welcome the objectives relating to the sustainable design of the development	Comment noted	No change
24	NS006	English Heritage	National policy guidance makes it clear that the Government's commitment to sustainable development has particular relevance to the preservation of the historic environment, which is by its very	Agree	See recommended amendment for comment 26.

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			nature irreplaceable. Thus, as part of the whole issue of sustainability, mention should be made of the fact that the re-use of the historic buildings on the site would contribute towards delivering sustainable development.		
25	NS012	Yorkshire Forward	Welcome the identification of a set standards for sustainable design and construction through the use of accreditation schemes such as BREEAM and EcoHomes 'very good' or 'excellent' standards.	Comment noted	No change
26	NS006	English Heritage	Para 4.10 bullet i In view of the embodied energy within the existing buildings on this site, the sustainability statement should not just be examining the re-use of demolition materials but, as a starting point, how the existing buildings on the site can be re-used or adapted. Only where this is not practicable or would prove a less sustainable option, should demolition and the re-use of the materials occur.	Agree	Add after first sentence of para 4.9 "As a starting point, consideration should be given to how the buildings onsite can be re-used or adapted. Only where this is not practicable or would prove a less sustainable option, should demolition occur (see also re-use of demolition materials, Paragraph 4.10, bullet i)."
27	NS012	Yorkshire Forward	Potential developers and Nestlé should consider the viability of utilising waste heat from the operational Nestlé factory located adjacent to the development at the earliest possible stage so as not to delay the development of the site.	Comment noted.	Add to end of first sentence in para 4.9 "(e.g. incorporating methods to use waste heat from the adjacent operating Nestlé factory)"
28	NS010	Member of the public	There is a large roof area, which could be used for solar power and rainwater collection	Comment noted. Prospective developers will need to investigate opportunities for passive solar gain and rain water collection at the detailed stage of planning applications.	No change

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				Sustainability statements will need to address this detail, as referred to in para 4.10 of the brief.	
29	NS012	Yorkshire Forward	The Development Brief could place an increased emphasis on maximising the recycling of waste on site. For example, any future developer could provide space and facilities for recycling and composting	These details are referred to in the minimum standards of the Sustainable Design and Construction SPG, which is referenced in paragraphs 4.8 and 4.9 of the brief.	No change
30	NS014	York Cycle Campaign	This could be a model development in terms of its sustainability in all aspects (including transport) along the lines of (for instance) the "BedZed" development (Beddington Zero Energy Development) in Surrey	Comment noted. A range of measures to maximise sustainable design solutions will be expected to be investigated (re. chapters 4 and 10 of the brief)	No change
<b>Chapter 5: Development Opportunities</b>					
31	NS008	Nestlé UK Ltd	We support the principle of mixed use development. An appropriate mix of activities will lead to a successful, integrated and viable redevelopment.	Comment noted	No change
32	NS014	York Cycle Campaign	We welcome the proposal for a mixed use development for this important site	Comment noted	No change
<b>Employment</b>					
33	NS007	CBRE	Agree that new development should seek new employment opportunities.	Support noted	No change
34	NS012	Yorkshire Forward	Broadly support the proposals to create a mixed use development incorporating residential, commercial and manufacturing uses on land made vacant through the restructuring of the Nestlé manufacturing site, which could potentially ameliorate recent job losses.	Comment noted	No change
35	NS008	Nestlé UK Ltd	We support the ambition to provide for the needs of modern business but	The potential of the existing buildings to be retained in	No change

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			believe that this is best achieved in new build components of any development rather than in existing buildings.	employment use should continue to be explored. It might well be that some conversion potential exists alongside a new-build element and more detailed work is needed for the assessment to be made.	
36	NS012	Yorkshire Forward	Opportunities for the site to provide for further development of creative and technology based industries within York is welcomed, especially where these would complement the development and expansion of the Science City Initiative.	Comment noted and welcomed. Discussions with Nestlé regarding creative/technology business potential are ongoing.	No change
37	NS008	Nestlé UK Ltd	The range of employment uses to be considered is expressed widely (for instance, to include artisan and creative workshops) but we are confident that the latent demand in the City of York is for high quality office and studio accommodation. The Brief should echo this	As part of a mixed development scheme a variety of uses will be encouraged. The key will be to create a range of opportunity which will in turn create an employment community at this important site.	No change
38	NS012	Yorkshire Forward	Welcome the commitment to pay particular consideration in the food and drink cluster and technology industries through the provision of live/work units, creative workshops and studio space, to enable the establishment and development of SMEs in the city.	Comment noted and welcomed (see response 37 above).	No change
39	NS003	Member of the public	I hope that the Council should make every effort to ensure that any development of the Nestlé South site will welcome really small enterprises such as Bikerescue and other niche manufacturers who between them can add so much to quality of life in York and	Small enterprise development will be encouraged on this site (see response 37 above).	No change

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			can so easy become the beginnings of larger and even more beneficial concerns in the future.		
40	NS008	Nestlé UK Ltd	We note the objective to create employment opportunities which offer the potential to replace jobs which have recently been lost. The Brief refers to 625 job losses. This is a combination of full time and part time posts and is not therefore a full time equivalent (FTE) total. The FTE figure should be highlighted in the Brief as the appropriate “benchmark” figure.	This site is identified for mixed use development which should replace those jobs lost. The creation of some 600+ jobs is well within the capability of the redevelopment principles which have been established in the brief. Jobs newly provided on site could be a mix of full with some part-time.	No change
41	NS008	Nestlé UK Ltd	<p>The Brief should also highlight that new employment creation can take a variety of forms including:</p> <ul style="list-style-type: none"> <li>• New employment linked directly to the business floorspace included in any new development</li> <li>• The FTE construction jobs associated with the development</li> <li>• Indirect employment generation resulting from economic activity on the development site and during construction</li> <li>• Employment created by Nestlé UK elsewhere in York, including on the neighbouring operational facility, as a consequence of development.</li> </ul>	A figure for new employment should be confined to the development area. However, any new development will create construction and supply chain job opportunity and this is welcomed here, particularly welcome are the new and safeguarded jobs on the remainder of the Nestlé site.	No change
42	NS011	Cyclists' Touring Club	Live/work site principles are commendable for this site.	Comment noted	No change
<b>Residential</b>					
43	NS012	Yorkshire Forward	Welcome identification within the Brief of the need to provide a mix of housing	It is considered that the brief achieves a good balance of new	No change



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			types and sizes on the site, with a significant element of affordable housing. However we wish to emphasis the importance of retaining and providing sufficient employment land within the city of York to cater for anticipated future economic growth.	job generation and support for complimentary uses which help to improve viability and re-investment in the main part of the site.	
44	NS008	Nestlé UK Ltd	Support the aspiration of the Brief to deliver a diversity of house types but the fact that the housing will lead regeneration of the site must be expressed in a transparent way.	Provided that sufficient new employment space is provided, residential uses will be acceptable. This has been expressed in a transparent way throughout the brief, but in particular in the Vision, Objectives and Chapter 5.	No change
45	NS010	Member of the public	Schemes such as the Bedzed project (in Bedfordshire) and home zones should be considered possible models for housing on other parts of the site	Home zone residential layouts will be required (paras 6.12 and 11.8). Reference to the BedZed project can be specifically made.	Add reference to BedZed in paragraph 5.20
46	NS012	Yorkshire Forward	Generally supportive of the proposals to incorporate Home Zones into residential areas of the site	Comment noted	No change
<b>Other</b>					
47	NS008	Nestlé UK Ltd	Needs to recognise that there could be opportunities for the provision of hotel accommodation on the site.	Hotel use is not seen as a priority for the re-use of this site, both in locational and traffic generation terms. There are better sites in advanced discussions at Terry's and York Central. The priority for the site is for community uses and a range of employment uses. Hotel and leisure uses do not fall within B1/B2 and B8 employment use classes.	No change
48	NS009	Agent for	Para 5.21 should be amended in order to	See response to comment 47.	No change

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		hotel operator	accommodate a hotel within the overall mix of uses.		
49	NS010	Member of the public	If York City FC decides to relocate to part of this site (which the York Evening Press suggested is one of several options for the club's new stadium) it will have implications for the rest of the site including: the layout of footpaths, the location of the through route and the traffic implications of spectators	York City FC are looking at the potential to relocate from their existing site. One of the potential sites they are looking at is the area to the north of the main factory site. It will not affect proposals on this site, and match day traffic/pedestrian movement would not go through this site.	No change
50	NS013	Member of the public	Those long serving retired employees of Nestlé Rowntree deserve some special and reserved place in the Nestlé South development. The Groves WMC has closed and financial support from Nestlé for alternative venues for the main recreational activities of Nestlé Pensioners has ceased and further reductions in support are extremely likely in 2008. The activities are now displaced around the city, but still exist through the enthusiasm of the members and the dedication of volunteers.	Comments noted. Community uses are identified in Chapter 5 of the brief as potential complimentary uses and the use of planning obligations will be explored in order to support community uses directly related to new development. It is not the role of the brief, however, to address existing financial arrangements/obligations between Nestlé and their former employees.	No change
<b>Chapter 6: Design and Landscape Principles</b>					
51	NS006	English Heritage	Para 6.1 Fully endorse the need to understand the site and welcome the requirement for an urban design analysis along the lines proposed.	Support noted	No change
52	NS012	Yorkshire Forward	Welcome the approach towards high quality design, including contemporary design options to complement the existing historic buildings, through careful siting, scale and use of materials	Comment noted	No change
53	NS006	English	Para 6.4 Support the principle that the	Support noted	No change

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		Heritage	significant buildings on the site should be retained in any development proposals.		
54	NS011	Cyclists' Touring Club	More areas are worthy of preservation or conservation, notably what is referred to colloquially as the "bearpit", an open office area, oak panelled with a surrounding balcony and glazed arch roof. An ideal use for this might be a history/interpretation zone for the factory, with a model from Rowntree days of factory rail network at its maximum extent	This building is one of the earlier ones to have been built on the site. It does have some merit and it has been altered and refurbished. It will be assessed by English Heritage as part of their Listing Assessment.	No change
55	NS006	English Heritage	Para 6.7 The unlisted buildings on the site are currently being assessed by English Heritage's Designation Team to ascertain whether they would meet the Criteria for Listing.	Comment noted.	Update paragraph 6.7 to explain current work being undertaken by English Heritage.
56	NS011	Cyclists' Touring Club	Para 6.7 The brief appears to be incorrect in reference to Block 67, which is not wholly offices, but principally a production area of five floors, known as New Cream Extension (NCX Block).	Comment noted	Amend reference in para 6.7 to "the office and production unit (block 67 on plan 4)"
57	NS006	English Heritage	Support the examination of this site as a possible Conservation Area. This assessment should be undertaken as a matter of urgency in order to inform the future development of this area. If this area is designated, the Appraisal should be accompanied by a Conservation Area Management Plan.	Comment noted. The process of identifying and designating a possible Conservation Area should be explained more fully in the brief.	Add new paragraph 6.9. "Areas can only be designated as Conservation Areas when they are of "special interest" in the local context, based on consistent criteria. Should Conservation Area designation be considered appropriate, the Council will carry out a full character appraisal, accompanied by a Conservation Area Management Plan. The appraisal will recommend a boundary for the Conservation

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					Area; assess the historical context and character of the site and surrounding area, and identify positive, neutral and negative factors. The process of designating a Conservation Area will involve public consultation and will be subject to Members' approval. The future development of the Nestlé South site would be informed by the character appraisal. Designation means that extra planning controls would apply to assist in the preservation or enhancement of the character and appearance of the area."
58	NS007 NS011	Various	We support the planned conservation status	Support noted	No change
59	NS006	English Heritage	Para 6.20 The second sentence is somewhat misleading and could be used to justify taller buildings on some parts of the site provided that, elsewhere, some smaller structures are included so that the "average" height overall is less than that of the existing buildings. It would be preferable to reword this sentence along the lines that the historic factory buildings should remain the dominant structures in any redevelopment proposals.	Agreed.	Omit second sentence of para 6.21 and replace with "The historic factory buildings should remain the dominant structure in any development proposals"
60	NS006	English Heritage	Para 6.21 If the heights of the buildings on the site are no higher than the existing factory buildings (Para 6.20) then there should be little likelihood of them threatening the dominance of the	Agreed	Replace para 6.22 with "It should be demonstrated that any new development would not adversely affect the character or setting of the historic city."

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			Minster. It might be better, therefore, to state that “ <i>It should be demonstrated that any new development would not adversely affect the character or setting of the historic City</i> ”.		
61	NS008	Nestlé UK Ltd	The height of new buildings should be allowed to reach that of existing tall buildings where both are opposing.	It is important that the special significance of the site is legible, and this is unlikely to be achieved by new buildings of the same height.	No change
62	NS008	Nestlé UK Ltd	We accept that there will be a variety of building height and mass across the site with a gradual reduction towards the boundary with the former railway cutting on the southern margin of the site. However, some of the new residential blocks nearest to the retained operation factory will exceed “2-4 storey” (para 6.20) and the Brief should be changed to reflect this	The reference quoted by the consultee specifically refers to 2-4 storey <u>houses</u> . The brief should be amended to recognise other housing types.	Amend last sentence of para 6.21 to read “2-4 storey houses, and higher mixed use and commercial buildings with no building...”
63	NS010	Member of the public	The existing six-storey building (especially blocks 1, 2 and 34) offers residents of my neighbourhood some protection from north winds so I would be happy if they were to remain and be converted to offices and flats	Comment noted. Detailed design issues and proposals will be addressed at the masterplanning and planning application stage, which will be subject to further public consultation.	No change
64	NS008	Nestlé UK Ltd	Para 6.24 The “community hub” along the Haxby Road frontage could be achieved through appropriate reuse of the Joseph Rowntree Library and public access to the surrounding gardens. This opportunity could be made more explicit in the brief.	The Council would not wish to prescribe the extent/significance of the community ‘hub’. This can be explored in the masterplanning stage.	No change
65	NS008	Nestlé UK Ltd	Para 6.27 We support the promotion of bio-climatic design and the recognition	Agree that the retention of existing buildings may affect	Continue sentence added from comment 59 “notwithstanding

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			that this will influence the design, massing and layout of buildings. With the exception of most significant existing buildings on the site, the retention of other existing buildings will severely curtail any opportunities to implement a bio-climate design.	bioclimatic opportunities. This point should be addressed in para 6.21 in relation to the massing of the scheme rather than para 6.27, which concerns the development of architectural expression in any new scheme.	the requirement to work with bioclimatic design principles as set out in paragraph 6.4”
<b>Links and Spaces</b>					
66	NS015	Natural England	We would welcome the integration of the site with key recreational routes including the Foss Walk and the Sustrans cycleway route, not just as a means to <i>link</i> greenspace and the wider countryside but as a means of providing and enhancing a green corridor from and to the city centre. This site provides an excellent opportunity to develop a green corridor from the centre of York through to the wider open greenspace on the urban edge.	Agree	Add after first sentence of para 6.17 “Every effort should be made to integrate new routes on and across the site with recreational routes including the Foss walkway, the Sustrans cycle route 66 and routes into the City. The opportunity to enhance these routes as green corridors must be taken.”
<b>Trees</b>					
67	NS007	CBRE	It is our view that an early schedule should be made of the trees and where appropriate Tree Preservation Orders issued.	As part of any application for development, the Council will require a full tree survey to be carried out. This is stated in paragraph 6.35 of the brief.	No change
68	NS016	Member of the public	Concerned over the thinning out of trees referred to in para 6.14. Need to ensure the increasing blending into nature in this area on the fringes of the city	Comment noted. The thinning out of trees referred to in paragraph 6.14 would have benefits, including maximising the existing woodland vegetation, creating a more open aspect with views through to the new development, and improving the perceived safety of this part of	No change

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				the site.	
<b>Chapter 7: Public Open Space, Recreation and Public Art</b>					
69	NS011	Cyclists' Touring Club	The provision of open space is supported and there needs to be good links with other adjacent areas of good landscape/nature conservation quality.	Comment noted	No change
70	NS016	Member of the public	Need a positive focus on creating green space and play areas/sports for older children, need to ensure easy access to facilities such as green park space as well as the current Nestlé facilities.	Comments noted. The brief addresses the need for on-site open space to be in different forms, be easily accessible and to link to pedestrian and cycle routes (re. paragraphs 7.2, 7.3, 7.5, 7.5, 7.7 and 7.8)	No change
71	NS008	Nestlé UK Ltd	The urban character, mix and intensity of development which is called for in the brief will exclude the possibility of accommodating all youth and adult sports provision on the site.	Paragraphs 7.9 & 7.10 state that provision for youth and adult sport may be acceptable off-site.	No change
72	NS008	Nestlé UK Ltd	It needs to be made clear that the option of improving off-site provision of facilities as a part of new development is an appropriate way forward. Following discussions with City of York Leisure Services representatives, future improvements for youth and adult sports provision will be directed onto the existing Nestlé sports fields.	Paragraphs 7.9 & 7.10 make it clear that off site sports contributions may be an acceptable way to deliver the community sports allocation.	No change
73	NS008	Nestlé UK Ltd	The Brief needs to accept that there will be a dual or multiple use of open space within any new development. In this sense, it is not appropriate to consider separate open spaces for residents, employees and the local community. The "requirements" for open space should be reconsidered to reflect the high level of	Comments noted. The brief sets out the requirements for the site based on Development Control Local Plan policy. The need for imaginative open space design is acknowledged in the brief, but there may be room for creative solutions to the requirement to	Add sentence to end of para. 7.8. "Careful consideration should be given to the design and layout of amenity space to identify the most appropriate methods of catering for the different users. Detailed discussions should be held with

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			shared use.	cater for a mix of users.	the Council's Parks and Open Spaces team prior to any planning application submission".
<b>Chapter 9: Archaeology</b>					
74	NS006	English Heritage	The archaeological strategy is fine. However, this proposal would appear to be an excellent opportunity for some community heritage work (such as oral history etc).	Agreed	Add new paragraph 9.8 "The development of the Nestlé South site may provide opportunities for community heritage work. Discussions with the Council's archaeologist are encouraged"
<b>Chapter 10: Sustainable Transport</b>					
75	NS015	Natural England	Welcome the emphasis within the Development Brief on the importance of walking and cycling routes.	Comment noted	No change
76	NS007	CBRE	We hope that the hierarchy of users will be strictly adhered to.	Comment noted	No change
77	NS011	Cyclists' Touring Club	We note reference in Section 10 to hierarchy of users, which may have recently been partly discounted in council schemes. We trust that it may be more closely regarded by planners/developers.	Comment noted	No change
78	NS014	York Cycle Campaign	Welcome the application of the "hierarchy of transport users" (para 10.1) and suggest that this is also given prominence in the sections on Highways and Parking and Environmental Issues. It should be emphasised that the hierarchy needs to be carried through to the detailed design of the site which will have most effect on users perceptions of modal priority.	Paragraph 10.1 states that the hierarchy of users is applicable when making land-use and transport decisions and implementing transport decisions.	No change
79	NS008	Nestlé UK Ltd	There are a variety of methods of reducing dependence on the private car. We feel the requirements in the Brief are	The brief suggests specific measures (e.g. car clubs) as well as other travel planning	No change



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			set out in a prescriptive way at present (para 10.13). It would be preferable to use the following wording for the second sentence of para 10.13: "These standards coupled with the provision of effective traffic planning measures delivered through a detailed site travel plan, will be sought as an effective way of reducing car dependency whilst maintaining residents' travel options."	measures. This approach is considered reasonable and appropriate, as it indicates potential measures, whilst also being flexible.	
80	NS012	Yorkshire Forward	A successful car club company currently operating within the city emphasizes the demand for such facilities, therefore, we suggest that any possible developer liaise with the City Council and car club operators at the earliest possible opportunity	Agree. Para 10.14 states that a comprehensive approach to the city car club should be taken.	Add new sentence to end of paragraph 10.14 'Early contact with the City's car club operator and City of York Highway Officers is encouraged.'
81	NS010	Member of the public	Para 10.6 Completion of Route 66 all the way through to York railway station has been for some time now an urgent infrastructure priority for the city as a whole. This would include a new pedestrian/cycle bridge (to replace the existing Scarborough footbridge over the River Ouse) leading to an approach path alongside the railway line behind the hotel to enter the station from the north.	Construction of a new bridge is outside the scope of the brief. CYC has obtained funding from the Department of Transport to provide new access into the north side of York railway station, but has encountered problems reaching agreement with Network Rail and GNER.	No change
82	NS010	Member of the public	Access to and through the site should serve the interests of residents of the site before those who would merely see it as a short cut. This is especially important in the matter of motor vehicle access.	The assessment of the flow/capacity submitted by the developer will determine if unrestricted or public transport only access will be provided. See response to comment 94.	No change
83	NS008	Nestlé UK Ltd	The requirement to provide travel plans should be directed at commercial	Residential travel plans are becoming more popular across	No change

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			organisations. Residential travel plans are difficult to administer and enforce.	the UK for use in development schemes. City of York Council would work with the applicant to develop a robust and enforceable residential travel plan to ensure that travel patterns are in accordance with policy.	
84	NS014	York Cycle Campaign	Para 10.15 We welcome the suggestion of mode use targets for the development and hope that these will include a target for cycling in line with what is achieved in Holland, Northern Germany and Denmark. That is in excess of double the level in York at the moment.	Modal split targets will be in line with current Local Transport Plan targets.	No change
85	NS014	York Cycle Campaign	The development should ensure that cycling (and walking) are the natural choices for short journeys. This means building convenient cycle storage into the dwellings - secure storage right next to each front door. It could also mean making car parking a little more difficult to access. As soon as a resident comes out of their house it should be obvious that walking or cycling are the easiest, most natural options and the design needs to ensure this.	Comment noted.	Add “secure, covered” to first sentence of paragraph 10.7
86	NS010	Member of the public	Houses should have cycle ‘garages’ included wherever possible.	Comment noted. See response and recommendation to comment 85.	No change
87	NS010	Member of the public	Nestlé site will cause an increase in heavy lorry and cycle traffic on Wigginton Road (the B1363) between the Nestlé site and Clifton Moor Gate. The former would result from the new Nestlé plant	A full and thorough assessment will be undertaken in support of any detailed proposal which will look at the transport implications by all forms of transport. See	No change

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			and the latter from residents of the new Nestlé South residential area travelling to Clifton Moor. I suggest that improvements should be made to this route in the form of 'shoulders' (or cycle lanes) alongside the road before the new Nestlé South development is completed. The verges are wide enough to accommodate this, and improvements to the level crossing should be considered, such as making the angle of approach to the railway tracks less oblique.	paragraph 11.2.	
<b>Chapter 11: Highways and Car Parking</b>					
88	NS016	Member of the public	Concerned over the increase in traffic on already congested roads - a dramatic increase in both private and business use of this site will add to this congestion - would want to see a better handle of this issue.	See response to comment 87.	No change
89	NS014	York Cycle Campaign	There is a rather brief mention (point (i) in 13.4) about the possibility of "a car free development or a 'low emission' development". These possibilities (along with others) should be given much greater priority throughout the document.	The detailed Transport Assessment will consider these possibilities.	No change
90	NS014	York Cycle Campaign	It might be useful to refer to the recently published Manual for Streets ( <a href="http://www.dft.gov.uk/pgr/sustainable/manforstreets/">http://www.dft.gov.uk/pgr/sustainable/manforstreets/</a> ) for detailed design considerations	Agree	Add reference to the Department for Transport's Manual for Streets in paragraph 11.6.
<b>Car Parking</b>					
91	NS001	Helmsley Group	Buyers and tenants will not take up office premises which provide only operational parking, making the scheme financially unviable.	It is considered appropriate to expect a reduced need for private car parking on this element of the scheme, when	No change

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				bearing in mind the location and both national and local transport and land use policy, which strives to maximise sustainable travel.	
92	NS008	Nestlé UK Ltd	For office development, in order to achieve an economically vibrant and viable proposal, parking should be provided in accordance with adopted standards, taking into account agreed measures in any travel plan which will seek to reduce commuting by car and encourage public transport use. We consider therefore that the first sentence of para 11.12(e) should be removed.	See response to comment 91. Paragraph 11.12a states that overall car parking provision will be agreed on the basis of analysis of its implications.	No change
93	NS008	Nestlé UK Ltd	A maximum overall car parking level for housing should be 100%.	This is not in accordance with national or local policy. The sustainable location of the site and the sustainable travel patterns that this scheme will have to deliver in order that the highway network can accommodate the additional demand are not compatible with a 100% parking provision.	No change
<b>Through Route</b>					
94	NS002	Member of the public	I can see no necessity for a through route, unless it includes cars. At the moment pedestrians and cycles can go from Haxby Road to Wigginton Road via several routes i.e. the existing cycle track, Hambleton Terrace, Rose Street, Vyner Street and Fountayne Street - surely enough routes for the number of pedestrians and cyclists needing this.	Use of the through route by private vehicles may simply move existing congestion to different locations on the network and may actually be detrimental overall. A through route for private vehicles may also make it more difficult for residents to access the development due to	No change

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				non-resident traffic. An assessment of the ratio of flow to capacity will be made and if this exceeds 0.90, or if it is deemed that there will be a reduction in the quality of the local environment, then the through route will be used solely by pedestrians, cyclists and public transport users.	
95	NS005	Clifton Planning Panel	It will be an opportunity lost if cars going from Clifton to Yearsley Baths, Haleys Terrace and Dodsworth Avenue cannot use a new road through the site. Wigginton Road will in future become more congested with the new hospital car park attracting more traffic and the roundabout on the ring road and Wigginton Road is always very busy.	See response to comment 94.	No change
96	NS007	CBRE	A through road for traffic would reduce site security and detract somewhat from community principles.	Agree. See response to comment 94.	No change
97	NS011	Cyclists' Touring Club	Any all-purpose traffic through road would be detrimental in terms of site security and might adversely affect community feel of the location.	Agree. See response to comment 94.	No change
98	NS010	Member of the public	A through route for cycling and walking between Haxby Road and Wigginton Road must be provided	Para 6.11 states that a walking/cycling spine connecting Wigginton Rd and Haxby Rd should be introduced.	No change
99	NS010	Member of the public	A through route for motor vehicles between Haxby Road and Wigginton Road is problematic. Although it would probably reduce the congestion at the junction further south where these two	Agree. See response to comment 94.	No change

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			roads converge, such relief would be merely a temporary fix and it would be only a matter of time before congestion returned to present levels.		
100	NS010	Member of the public	The provision of a bus route that runs between Haxby Road and Wigginton Road through the site may weaken the brief's case against other motor vehicles being permitted to use the same road.	Disagree. The number of buses using the through route would be significantly less than the number of private vehicles.	No change
101	NS014	York Cycle Campaign	The proposed route through the development should be restricted to pedestrians, cyclists and public transport (ideally we would prefer it to be pedestrians and cyclists only). Building a new road for general traffic will inevitably make it more convenient for existing car users and therefore risks generating extra traffic. This is at odds with Council efforts to restrain car use through the Local Transport Plan.	Agree. See response to comment 94.	No change
<b>Other</b>					
102	NS008	Nestlé UK Ltd	Para 11.3 The Brief confirms that Haxby Road and Wigginton Road regularly operate at capacity. To require that traffic generation from new development should not exceed capacity on the highway network is therefore unreasonable and, indeed, impossible to achieve. We consider that the first sentence of para 11.5 should be revised as follows: "It will be necessary to ensure that a strong emphasis on low levels of private car use is promoted."	It is a widely accepted approach that if the Transport Assessment indicates operational issues for the highway network as a result of development, then either one form of mitigation is agreed to resolve the issue, or increasingly the 'demand' is managed / restrained / reduced. It will be necessary (as set out in the brief) for the Transport Assessment and detailed modelling to fully assess the implications and any possible measures.	No change

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103	NS008	Nestlé UK Ltd	For reasons stated in comment 102 above, para 11.12(b) should be omitted from the Brief.	See response to comment 102.	No change
104	NS014	York Cycle Campaign	Para 11.4 and Plan 5c We welcome the possible changes to the Haxby Road roundabout (Haley's Terrace). These should incorporate high quality cycle facilities which are convenient for cyclists to use and in line with the hierarchy of transport users.	Comment noted. Any new junction arrangement should be safe to use for cyclists.	Add new sentence to end of para 11.4 "All junction proposals should give due consideration to the ease and safety of movement of pedestrians and cyclists ."
<b>Chapter 13: Environmental Issues</b>					
Flooding					
105	NS017	Environment Agency	Sustainable Drainage Systems (SuDS) should be considered in the first instance as a solution to the surface water drainage requirements of any redevelopment, provided ground conditions are suitable. A reference to SuDs should be added to paragraph 13.29	Agreed. Add reference to SUDS	Add new paragraph 13.30 "Sustainable Urban Drainage Systems (SUDS) should be considered as a solution to the surface water drainage requirements of any redevelopment, providing ground conditions are suitable."
106	NS004	Foss Internal Drainage Board	It is believed that the site generally discharges its existing surface water discharge into the River Foss downstream of the Board's District. It may, however have outfalls into the river within the Board's District. The Board would not like to see any detrimental effect on the watercourse environment as this could increase flood risk. It is therefore recommended that the developers are required to submit surface water discharge proposals in accordance with PPS 25 and, in particular, with reference to paragraph F6.	This will be addressed as part of the Flood Risk Assessment, which will have to be provided as part of a planning application in accordance with PPS 25 and paragraph 13.29 of the brief	No change

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107	NS004	Foss Internal Drainage Board	Should the existing site discharge into a Public Sewer, discharge from the Public Sewer should not be increased into the River due to the development on this site, should that be its final discharge point.	This will be addressed as part of the Flood Risk Assessment, which will have to be provided as part of a planning application in accordance with PPS 25 and paragraph 13.29 of the brief	No change
<b>Contaminated Land</b>					
108	NS015	Environment Agency	Depending on the information submitted with any planning application, the Agency are likely to request planning conditions to protect Controlled Waters and ensure that the remediated site is reclaimed to an appropriate standard	Comment noted. The involvement of the Environment Agency and the use of planning conditions to remediate land contamination is crucial, and is addressed in paragraph 13.16 of the brief.	No change
<b>Ecology</b>					
109	NS015	Natural England	Para 13.26 'checked' for bats should be replaced with 'surveyed' for bats.	Agree	Amend para 13.26 from 'checked for bats' to 'surveyed for bats'
<b>Chapter 15: Developing Proposals</b>					
<b>Affordable Housing</b>					
110	NS001	Helmsley Group	The costs of refurbishing the buildings on site to comply with the sustainable targets required in today's modern world means this scheme will not support 50% affordable housing.	Development Control Local Plan policy H2a and the City of York Council Affordable Housing Note ensures that a fair and consistent policy framework in York is established for the provision of affordable homes by setting a target of 50% affordable housing on all new schemes. The appropriate level on each site will be agreed through detailed, consistent negotiation. Developers are required to submit detailed assessments of viability if their submission is that	No change



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111	NS008	Nestlé UK Ltd	It should be noted that the requirement set out in policy can be adjusted to reflect exceptional circumstances and to help realise other planning objectives	50% cannot be achieved. The affordable housing target may be negotiated below 50% but only in exceptional cases, and where abnormal site costs can be demonstrated. Planning related requirements, such as financial contributions towards local education and sports facilities, are known costs and therefore will not be delivered at the expense of affordable housing.	No change
112	NS008	Nestlé UK Ltd	There could be a case for the delivery of affordable housing on land in the near vicinity of the site as a complement to affordable housing on the site itself. This should be allowed for in the wording of the Brief.	The City of York Council will only support off-site provision for affordable housing in very exceptional circumstances. There appears to be no valid reason why segregation and off-siting of affordable housing should be considered here.	No change
113	NS001	Helmsley Group	Affordable housing does not all have to be subsidised rental housing. What happened to being able to sell houses at a lower price to those who need it, i.e. key workers etc. Why should housing associations have them all?	The Council's approved policy allows for both subsidised rent and discounted (off open market value) for sale. In accordance with national and local policy guidelines, the key is to relate provision to local assessment of need, which the Council has available.	No change
Other					
114	NS008	Nestlé UK Ltd	It needs to be made clear that, should an outline be submitted, it is appropriate to request a Design Code by way of condition as an intermediary between	Although detailed design issues could be considered at reserved matters stage, a design code setting out the key design	No change

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			outline planning permission and reserved matters applications.	principles for the site would be required as part of an outline application to enable proper consideration of the application.	
<b>Maps</b>					
115	NS002	Member of the public	Plan 5C The potential junction improvement and potential new access routes are marked by a green circle and a blue box, both of which appear to include White Cross Villa, 17 Haley's Terrace.	The location of potential junction improvements on plan 5C is purely indicative and not intended to imply that properties will be affected. Plan 5c should be revised accordingly	Amend Plan 5C to reduce scale of green circle and blue box at Haxby Rd/Haley's Terrace roundabout.