

COMMITTEE REPORT

Date: 9 June 2016 **Ward:** Guildhall
Team: Major and **Parish:** Guildhall Planning Panel
 Commercial Team

Reference: 16/00701/FUL
Application at: Hilary House St Saviour's Place York YO1 7PJ
For: Roof extension to provide additional apartment
By: St Catherine's Developments
Application Type: Full Application
Target Date: 27 May 2016
Recommendation: Approve

1.0 PROPOSAL

APPLICATION SITE

1.1 The application relates to Hilary House; a 5-storey office building, above a semi-basement car park which dates from the 1960's. The property has just recently been converted from offices into apartments.

1.2 The site is within the Central Historic Core Conservation Area. In the conservation area appraisal the host building is identified as a detractor. The surrounding buildings are predominantly domestic in character and scale and generally in residential use. The terraces of houses that line St Savourgate to the SW are listed buildings as are the group of buildings to the eastern side of the host building which overlook Peasholme Green.

PROPOSALS

1.3 The application is to add a roof-top extension which would provide one further dwelling. The accommodation would be contained under a sculptural series of angled zinc clad roofs.

1.4 The application comes to committee at the discretion of the Assistant Director. This is because similar applications to extend upwards buildings identified as detractors in the Central Historic Core Conservation Area Appraisal have typically been rejected and as other applications for development at this site have been subject to a call in.

RELEVANT PLANNING HISTORY

1.5 There were three applications made proposing changes to the building in 2013. A prior notification application for change of use of the building into residential, a full planning application for the associated required changes to the buildings exterior; which was approved and an application to add an extension to the roof. The later application was withdrawn. English Heritage (now Historic England) did not support the application, they considered that the addition would compound the harm that the host building already had on the conservation area.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Areas of Archaeological Interest GMS Constraints: City Centre Area
Conservation Area GMS Constraints: Central Historic Core
Listed Buildings: Grade 2; 60-62 Aldwark York YO1 2BU

2.2 Relevant policies of the Draft 2005 Local Plan:

CYHE2 Development in historic locations
CYHE3 Conservation Areas
CYGP1 Design

2.3 Emerging Local Plan

2.4 At this stage, policies in the 2014 Publication Draft Local Plan are considered to carry very little weight in the decision making process (in accordance with paragraph 216 of the NPPF). However, the evidence base that underpins the proposed emerging policies is a material consideration in the determination of planning applications. The policies relevant to this application area as follows:

DP2 Sustainable Development
DP4 Approach to development Management
D1 Landscape and Setting
D2 Placemaking
D4 Conservation Areas

3.0 CONSULTATIONS

Design and Conservation

3.1 Members to be updated at meeting.

Conservation Area Advisory Panel

3.2 The Panel felt that this building had integrity of design and was of its time. The Panel objected very strongly to the addition of a penthouse. The building is already out of scale with the buildings on St Saviour's Place and St Saviourgate, and the addition of another storey would add further harm to the surrounding context and long distance views.

Guildhall Planning Panel

3.3 Object. Adding extra bulk will not diminish the impact of the building. Adding an extra storey worsens the situation and would breach the principle of not having tall developments inside the conservation area. The panel has advised previously that this building was an eyesore adding another floor does not diminish this. The building is still an eyesore and this application motivated by pure greed. This application was refused previously and we see no additional merit in the current submission, and this should also be refused.

Historic England

3.4 Advice is that the application could be approved subject to conditions to agree finer detailing and the materials.

3.5 The proposal has the potential to considerably improve the appearance of Hilary House within the streetscape and from the City Walls. HE would therefore regard this as an enhancement. This is providing the detailing and use of materials are of high quality and that the cladding materials are recessive in character (rather than shiny) whilst at the same time being interesting.

Neighbour Notification and Publicity

3.6 There have been 14 objections. The objections were as follows:-

Impact on setting

- The building is excessively tall already and identified as one which detracts from the setting in the conservation area appraisal; to add to its height would harm the setting. Hungate should not provide justification for appropriate building height in this area, because it is at a lower ground level.
- The extension would not complement the appearance of the host building or its setting, it would look awkward and draw attention and not enhance the building's appearance. The building would appear over-dominant over The Minster in views from the public route recently created to the side of the Hiscox building.
- The charm and predominately low-rise nature of St Saviours Place, Spen Lane and Aldwark would be degraded by this development

- Allowing the proposal could set a precedent for over-development in the conservation area. To develop buildings of such a height would conflict with advice in the conservation area appraisal which recommends against buildings over 4-storey in height in the Central Historic Core Conservation Area.
- The images provided attempt to show that the impact on the setting will be low due to various trees and this is inaccurate.

Issues over the decision-making process

- The application should be determined by committee rather than delegated to officers.
- Those who have objected to previous applications at the site were not notified by letter of this application.

Amenity

- The development would lead to a loss of visible sky from 10 Spen Lane.
- Increased disturbance due to noise from residents using the outside space. Disturbance during construction.

Traffic

- Re-development of the host building has lead to parking issues in the locality. This problem would be enhanced by adding a further apartment.

4.0 APPRAISAL

4.1 KEY ISSUES

- Impact on the character and appearance of the Central Historic Core Conservation Area
- Amenity of surrounding occupants
- Highway network management

Impact on the character and appearance of the Central Historic Core

RELEVANT PLANNING POLICY

4.2 The Council has a statutory duty (under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990) to consider the desirability of preserving or enhancing the character and appearance of designated conservation areas. The NPPF in paragraphs 131-134 establish the approach for dealing with applications and when it is possible to allow development which would have a harmful impact.

4.3 In consideration of design National Planning Policy Guidance (NPPG) states layout, form, scale and detailing are all relevant considerations.

With regards scale the size of individual buildings and their elements should be carefully considered, as their design will affect the: overshadowing and overlooking of others; local character; skylines; and vistas and views. The guidance recommends that developments either creating distinctive skylines or respecting the existing. Local Plan policy in the emerging plan is consistent with national advice in this respect. Policy D2: Placemaking states that proposals will be supported where they:

- Respect York's skyline by ensuring that development does not challenge the visual dominance of the Minster or the City Centre roofscape.
- Respect and enhance views of landmark buildings and important vistas.

4.4 Local Plan policy HE2 relates to development in historic locations. HE2 advises proposals will be required to maintain or enhance existing urban spaces, views, landmarks and other townscape elements, which contribute to the character or appearance of the area.

4.5 The Central Historic Core Conservation Area Appraisal contains an assessment of the area and includes a management strategy to inform development proposals. The host building is identified as a detractor within the Aldwark Area assessment.

4.6 The assessment explains that although ancient in origin, Aldwark is now the most modern suburb within the walls. The host building is one of the two buildings in the area identified as ones which detract. It explains the five-storey Hilary House as "an ugly terminus to the view down the largely Georgian St Saviourgate. It replaced a late Georgian chapel. Taking little notice of the form and proportions of its surroundings, it is neither a good example of its time nor built of high quality materials". The building has since been refurbished and its facade updated as part of a conversion into residential use.

4.7 The Management strategy in the conservation area appraisal seeks to enhance or replace buildings identified as detractors (5.4.3). Section 5.8 explains that new development should:-

- respect the characteristics which define York's distinctive urban form
- place importance on the design of roofs and the roofscape: and contribute positively to the character of York's distinctive skyline in this respect

ASSESSMENT

4.8 In the 2013 scheme which was withdrawn the proposed extension had a curved roof, its sides were to be rain-screen cladding and the roof aluminium.

The extension continued the lift up to the new top level and it was not set back from the SE elevation. The addition would have been unsightly in views from Peasholme Green and the City Walls.

4.9 The proposed extension is designed so the accommodation would be setback typically 2m from the edge of the existing roof. The roof slopes down over the accommodation apart from on the west elevation which faces towards the Minster. The roof form varies, when it slopes down to the edge, it is 2m higher than the parapet of the existing building, at its highest point at the west end it would be 4.5m above the parapet. The design intent is that the extension appears as a profiled roof form, rather than an obvious extra storey added to the building.

4.10 Whether the proposals are acceptable in design terms has been considered by an assessment of the impact on key public views from within the conservation area.

Elevated views from the Minster

4.11 In views from the Minster the flat roof of the existing building is apparent and detrimental to views of this part of the conservation area. The proposed modelled roof would improve the appearance of the building and setting in views from The Minster.

Views from Hungate (design view 1)

4.12 It is proposed to re-develop the currently vacant site between the new Hiscox office building and the listed Black Swan public house. The re-development proposal with outline planning permission would have the new building setback and a public realm created between the Black Swan and the Hiscox building. The space between the proposed building and Hungate will become a public route and part of the strategic cycle network.

4.13 From the proposed public route Hilary House will be obscured by the development intended for the vacant site. Hilary House will be seen from the new public realm, alongside the Minster in the distance. The proposed extension in this view would be set 2m from the (east) side elevation and the roof would slope down so it would almost meet the existing parapet at each in end. The addition would be subtle in this view. Views of the Minster would remain and Hilary House would not appear over-dominant.

Views from St Saviourgate (DV3)

4.14 Along St Saviourgate Hilary House is part screened and framed by the housing to each side. As one approaches the host building it becomes increasingly apparent that the building is of a larger scale than its neighbours.

The elevations of the proposed extension would be setback 2m from the buildings edge and partially screened by the oversailing roof. The addition proposed would have a low impact on the townscape. It would be apparent, but again recessive in scale and form and not dominant in the setting.

Views from Aldwark (DV2)

4.15 Hilary House is setback from the street and only becomes apparent at the NW end of Aldwark where it meets St Andrewgate. The view affected would be a fairly distant and brief view of the building and one in which the top floor and existing flat roof form of the existing building appears incongruous.

Views from the City Walls

4.16 The building and the extent it is out of keeping with its setting is most apparent in views from the walls, beyond each side of the Merchant Taylors Hall. The full extent of the building in context is apparent from these views. The top two floors extend beyond the surrounding streetscape. The building appears out of scale, too bulky and lacks interest due to its flat roof. The buildings in the immediate surrounds are predominantly of a smaller scale and have pitched roofs clad in pantiles. Whilst a considerable number of these buildings are modern, the roofscape respects the character of the conservation area. The telecommunications structure also looks alien and harmful to the setting (see picture in DV4) but other larger scale buildings nearby; Stonebow House and development at Hungate are far less prominent in this view.

Assessment

4.17 The judgement to be made therefore is whether when viewed from the City Walls and to a lesser extent from Aldwark (views 2 and 4 in the applicant's assessment) the proposed addition amplifies the prominence of the host building to the extent it increasingly detracts from the city skyline. Alternatively whether the addition helps to moderate the scale and bulk of the building and is a distinctive addition which would add interest to the skyline. The latter impact would be one which would be acceptable given national advice on design and compliant with the management strategy in the conservation area appraisal.

4.18 The management strategy in the conservation area appraisal provides guidelines on the design of new buildings and makes the following recommendations:

- Respect the characteristics which define York's distinctive urban form, for example: building lines, historic street patterns, building scale, plot and block dimensions
- Respect local building heights.

- Place importance on the design of roofs and the roofscape, which is often highly visible from raised viewpoints (walls, Clifford's Tower, the Minster), and contribute positively to the character of York's distinctive skyline in this respect.
- Preserve existing views and look to create interesting new ones;
- Seek to add to the variety and texture of the Conservation Area, which is one of its defining characteristics.

4.19 The existing building fails to be compliant with the first two recommendations because of its excessive scale and uncharacteristic form. This would be amplified as a consequence of adding to the height of the building. However due to the design of the extension proposed it would add interest and form a more appropriate termination to the building, compared to the existing flat roof. The development to this extent follows the design guidelines within the conservation area appraisal.

4.20 The view affected from the City Walls is towards Stonebow and Hungate in the opposite direction of views of the Minster. None of the key views of the Minster, as identified in the Central Historic Core Conservation Area Appraisal, would be materially affected by the proposed development. In addition when viewing the area from the City Walls there would be no harm to the setting of listed buildings, identified buildings of merit in the Aldwark area or landmark buildings or important vistas. The proposals are consistent with design policy D2 in the emerging Local Plan on placemaking in this respect.

4.21 A building within the conservation area which has been identified as a detractor would become more prominent. However from the viewpoint on the City Walls from which the extension would be most apparent, the building already appears out of scale. There are buildings of variable heights and design in this view, as there are throughout the city centre. The structure would be of recessive design; the building as a composition would be enhanced and there would be added interest to the city skyline. It is concluded there would not be harm to the character and appearance of the conservation area.

Amenity of surrounding occupants

4.22 The National Planning Policy Framework requires that developments always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. Local Plan policy GP1: Design requires that development proposals ensure no undue adverse impact from noise disturbance, overlooking, overshadowing or from over-dominant structures.

4.23 The edge of the proposed roof overhang would be 2m higher than the parapet of the existing building and inset 1.2m. The extension would be at least 20m from the buildings on the opposite side of Aldwalk and 16m from the nearest house on St Saviours Place.

Considering guidelines from the Building Research Establishment (BRE 45 degree guidelines) the extension would not have a material impact on light gain to neighbouring buildings. Due to the scale and design of the building it would not appear over dominant and would not cause overlooking.

Highway network management

4.24 The NPPF states that decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.

4.25 The application is compliant with the NPPF in terms of impact on the highway network –

- The site is in the city centre where sustainable modes of transport are a viable alternative to private car use.
- Adequate cycle storage, compliant with local plan policy standards, will be secured through a planning condition.
- Despite the extra dwelling proposed there would still be far less traffic movement associated with the residential use of the building in comparison to the historic office use.

Other matters

4.26 Objections have referred to the perceived lack of publicity of the application. In this respect the council has fulfilled statutory requirements; there was a notice in the press and displayed at the site and occupants of adjoining buildings were consulted.

5.0 CONCLUSION

5.1 Officers recommend approval as the scheme is compliant with national and local planning policy:-

- The development would provide an improved termination to the host building. The design follows the principles within the management strategy in Central Historic Core Conservation Appraisal and adds distinctiveness and interest to the skyline.
- Planning conditions would be used to retain control of the execution, to approve large scale details and all materials.
- There has been no identified harm to the setting of listed buildings and the character and appearance of the conservation area.
- There would be no adverse impact on highway safety and residential amenity.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

2 The development hereby permitted shall be carried out in accordance with the following plans:-

Drawings HHY3037
Floor Plans DP02
Elevations DE01
Sections DS01

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

3 Materials

Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the construction of the development. The development shall be carried out using the approved materials.

Note: Because of limited storage space at our offices it would be appreciated if detailed plans are submitted annotating the proposed materials and a sample of all the materials made available for inspection at the site. Please make it clear in your approval of details application when the materials will be available for inspection and where they are located.

Reason: The details must be agreed prior to works commencing given the prominence of the site and to ensure an acceptable impact on the character and appearance of the conservation area.

4 Large scale details

Large scale details (at 1:10 or 1:20) showing a typical section of each elevation, including notes on materials, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the works shall be carried out in accordance with the approved details.

Reason: The details must be agreed prior to works commencing given the prominence of the site and to ensure an acceptable impact on the character and appearance of the conservation area.

5 Storage

Prior to occupation of the dwelling hereby approved details of adequate space for cycle storage, which is covered and secure (i.e. within the building) shall be submitted and approved by the Local Planning Authority and provided for use in accordance with the approved details.

Reason: To ensure adequate space for, and to encourage cycle use in accordance with Local Plan policies GP1 and T4 and section 4 of the National Planning Policy Framework.

7.0 INFORMATIVES:

Notes to Applicant

1. STATEMENT OF THE COUNCIL'S POSITIVE AND PROACTIVE APPROACH

In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraphs 186 and 187) in seeking solutions to problems identified during the processing of the application. The Local Planning Authority took the following steps in order to achieve a positive outcome: gave pre-application advice on the design of the scheme and in particular how to ensure an appropriate design which suited the host building and preserved the conservation area in views from Peasholme Green.

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