

COMMITTEE REPORT

Date: 28 November 2024 **Ward:** Guildhall
Team: East Area **Parish:** Guildhall Planning Panel

Reference: 23/00421/LBC
Application at: 3 - 7 Coney Street York
For: Internal and external works to include extensions to roof to create additional storey, partial demolition of No.5 Coney Street to form connection to riverside and new shopfronts in association with redevelopment of site to create commercial, business and service floorspace, residential units and public realm space.

By: Helmsley Securities Limited
Application Type: Listed Building Consent
Target Date: 31 October 2023
Recommendation: Approve

1.0 PROPOSAL

Site Location

1.1 This application seeks listed building consent for development at a terrace of three listed buildings 3, 5 and 7 Coney Street that are listed jointly at Grade II. The works include extensions to the roofs to create an additional storey, the formation of residential units on the upper floors, the partial demolition of no.5 Coney Street to form a walkway to the riverside, works to the public realm at the rear and new shopfronts in association with the creation of commercial, business and service floorspace. The units are currently occupied by JD Sports (3), Lush (5) and Mango (7). The site is located on the western side of Coney Street just to the south of St Helen's Square. The River Ouse lies to the west, separated from the development site by the City Screen building.

1.2 The site lies within the Central Historic Core Conservation Area and the Area of Archaeological Importance (AAI).

Building Heights and Floor Areas and Site Levels

1.3 The existing buildings fronting Coney Street are generally three storeys plus basements and have flat roofs with parapets. To the rear is a mix of single and two storey wings with a combination of flat and pitched roofs. There is a level difference between Coney Street and the rear of the site of approximately 2.5 metres. To the rear of the site adjacent to the City Screen building is an open storage area, which has become unkempt and unsightly due to uncontrolled spread of refuse and other paraphernalia from surrounding commercial outlets.

1.4 Nos. 3 and 7 are large retail units circa 9m wide and 33m long, no.5 in the middle is much smaller at only 5m wide and extending only circa 15m to the rear. The land slopes down to the river at the rear and nos.3 and 7 have lower ground floor as well as ground floor retail areas.

Scheme Proposals

1.5 The ground floor of no.5 is proposed to be opened up to create a new pedestrian walkway from Coney Street to the City Screen development on the riverside. The new walkway would run between nos.3 and 7 and ramp down to 4 new sets of steps just to the rear of the City Screen development. Only circa half of the width of the former shopfront to no.5 would be used for the walkway entrance, the other half would form part of a new shopfront to no.3. Retail uses would be retained in the front areas of the ground floors in nos.3 and 7 with the rear areas of these properties being converted to form two restaurants, both at two levels (ground and lower ground floor).

1.6 A terraced seating area would be created next to 4 new sets of steps at the rear of no.7, this would serve the new restaurant at the property. This area at the rear of no.7 that the new steps and terrace would be located in, is currently used as a storage area for various items, including beer barrels and refuse bins. A further terraced seating area would be formed to the rear of no.3, this would run alongside the new ramped walkway and would serve the new restaurant at the rear of no.3. New shopfronts would be provided to nos.3 and 7 including a new shopfront surround to the right-hand side of the walkway entrance on Coney Street.

1.7 A new floor would be added to the top of the buildings via the provision of two new pitched roofs; one to nos.3/5 and one to no.7. The new roofs will include dormers to front and rear. The upper floors of the buildings, including the new 3rd floor, would be converted into 7no. apartments. Cycle parking and bin storage for the flats will be provided on the ground floor of no.3 to the rear of the retained retail unit; access to these would be achieved via the new walkway.

1.8 Access to the flats will be provided between ground and second floor via the provision of new stairs in nos.3 and 7 and the retention of an existing 17th century staircase on the second floor of no.7 and an existing 18th century staircase on the first and second floors of no.5. In addition, a lift will be introduced at the rear of no.3 to serve ground, first and second floors. The works will, however, involve the removal of a modern staircase between the ground and first floor at the rear of no.5 and the introduction of the lift will require the excavation of a pit in the basement of no.5, which will have an archaeological impact.

Demolition Works

1.9 In terms of demolition/loss of fabric the scheme involves:

- a) The removal of a modern shopfront to no.5 together with part of the ground floor and basement; these being the main elements required for removal to help create the new walkway.
- b) The removal of a two storey mid-20th century rear extension to the rear of no.3
- c) The removal of parts of the side walls of nos.3 & 7, where they face onto the proposed walkway (in the frontal area of the properties)
- d) The removal of a three storey mid-20th century rear extension to the rear of no.3; this is to be replaced by a two-storey flat roofed extension that would be occupied by the new restaurant operation, it would have large windows and glazed entrance facing onto the new walkway
- e) Further to the rear of no.5 an existing detached 20th century plant room would be removed as would some external steps to the rear of no.7.
- f) There would be some removal of internal partition walls in the rear of nos.3 and 7.
- g) There would also be the removal of some internal walls at first and second levels to help create the new apartments.
- h) Part of a late 19th century plant room at first floor level would be removed from the rear of no.7.

1.10 During consideration of the application, amended plans were received which have been used as the basis for determination.

Councillor Call-in

1.11 The application has been called in for a planning committee decision by Cllr R Melly on the grounds of public interest of access, street scene and accessibility.

2.0 POLICY CONTEXT

2.1 Section 38(6) of the 1990 Act requires local planning authorities to determine planning applications in accordance with the development plan unless material considerations indicate otherwise. Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority (LPA) shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that, in the exercise of an LPA's planning function with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character and appearance of that area.

National Planning Policy Framework

2.2 The National Planning Policy Framework (NPPF) December 2023 sets out the Government's overarching planning policies and is a material consideration in planning decisions.

Chapter 16 – Conserving and Enhancing the Historic Environment

2.3 Paragraph 195 states that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

2.4 Paragraph 200 advises that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

2.5 Paragraph 203 advises that in determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of a listed building and putting it to a viable use consistent with its conservation and the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality.

2.6 Paragraph 205 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (the more important the asset the greater the weight should be) irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

2.7 Paragraph 206 advises that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

2.8 Paragraph 208 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

2.9 Paragraph 212 states that Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

Draft Local Plan (2018)

2.10 The Draft Local Plan 2018 was submitted for examination on 25 May 2018. Formal examination hearings have now taken place and a response from the Inspector is awaited. The Draft Plan policies can be afforded weight in accordance with Paragraph 48 of the NPPF. The following policies are relevant to this application:

2.11 Policy D5: Listed Buildings states, inter alia, that proposals affecting a Listed Building or its setting will be supported where they preserve, enhance or better reveal those elements which contribute to the significance of the building or its setting. Changes of use will be supported where it has been demonstrated that the proposed new use of the building would not harm its significance and would help secure a sustainable future for a building at risk. Harm or substantial harm to the significance of a Listed Building or its setting will be permitted only where this is outweighed by the public benefits of the proposal. Substantial harm or total loss of a Listed Building will be permitted only where it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

3.0 CONSULTATIONS

INTERNAL

Design and Conservation - Conservation Architect

3.1 The conservation officer had initial concerns about a lack of detailed historic phasing plans for each floor based and a lack of detailed proposals for repair and alteration. However, further drawing revisions indicated an in-principle retention of historic fabric. In this revised form the officer considered that the harm to the significance of a heritage assets would be considerable but less than substantial harm and would be offset by the public benefits of restoring the roof form and adaptation of the upper floors for residential use thereby increasing the use of the heritage asset. In terms of the various elements of the scheme the officer's considerations were as follows.

Basement

3.2 Concerns about impact on archaeology but the more nuanced approach taken in revised demolition drawings is welcome.

Ground Floor 'Snickleway'

3.3 Initial concerns over the loss of historic fabric and the width of the proposed passageway at no.5 and how the sloping surface of the walkway would expose

internal historic fabric to surface water run-off. However, further information on the existing surface drainage alleviated concerns regarding surface water exposure. The loss of the basement ceiling structures would be largely unavoidable but the resulting heritage impact is likely to be less than substantial and increased connectivity to the river is noted as an opportunity in the conservation area character appraisal and is a public benefit that would outweigh a certain harm to historic fabric.

Alterations to Rear Extensions and Creation of New Rear Terrace

3.4 Initial concerns about removal of wall buttresses and other traces of previous building phases to party walls at nos.3 & 7, removal of windows to the rear extension at no.7, insertion of new stairs to the existing rear extensions of nos.3 & 7, insertion of new doors into the party walls of nos.3 & 7, reduction of hardstanding to the thoroughfare between St Martin's Courtyard and the river due to the new raised terrace to the rear of no.7 and the impact that drainage for the new passage and the raised courtyard terraces would have on the existing basement of no.5 and the existing rear extensions of nos.3 & 7. However, following further submissions the amended design and in-principle approach to retention of historic fabric is supportable subject to conditions.

Upper Floors

3.5 Initial concerns, including lack of survey information about existing historic fabric, fixtures and fittings. However, drawing revisions indicated an in-principle retention of historic fabric, which is supported subject to conditions – including the need for the areas to be surveyed and recorded.

Roofs

3.6 The existing flat roofs of the buildings fronting Coney Street detract from both the significance of the listed buildings and character of the conservation area and the principal of the proposed pitched roofs is therefore welcomed. Initial concerns about the number of dormers proposed for the front and also about the size of gabled dormers at the rear but an amended design with the dormers on the front reduced from 6 to 5 and the size of the dormers on the rear also reduced addressed concerns sufficiently.

3.7 The above proposal initially included the wholesale replacement of existing ceiling joists and potentially retained historic roof beams and this was considered an unnecessary loss of historic and evidential fabric. However, the plans have been amended to indicate in-principle retention of existing structural elements and the resulting likely heritage impact is therefore low.

Elevations

3.8 Amended plans indicate an intention to repair existing elevations. Condition re repairs and specifications and detailed drawings for the proposed shopfronts required. The proposed Juliette balconies are somewhat wider and considerably taller than their historic counterparts. They will dominate the front elevation and distract from the aesthetic and historic value of the historic windows, the elevation and the wider streetscape. Adding balconies to both nos.3 & 5 would unify the front elevation of what is essentially two distinct properties. There is no public benefit to offset the harm that would be caused and permission for the balconies should be refused.

3.9 Conditions would be required regarding:

- Works to the Basement – including construction drawings for the proposed insertion of a new lift to ensure impact on the historic fabric and archaeological remains is as limited as possible.
- Drainage - including schematic drawings for surface water drainage to the new snickleway and all raised courtyard terraces, as well as construction details for all abutments to existing fabric of walls and basement ceilings.
- External Elevations, Roofs & Landscaping – including drawings for proposed repair and conservation of all elevations, samples of all external materials including matching replacement materials, window repairs, shopfronts including signage and secondary glazing
- Details of Internal Alterations including condition survey of all upper floors and roof spaces, historic phasing plans for all floors and roof spaces and assessment of significance for the extant fabric of the upper floors and roofs. Existing and proposed, internal doors, energy retrofit strategy, M&E design, details for proposed fire separation or fire upgrading of any historic fabric and any structural repairs to historic timbers or masonry.
- Recording - a copy of all existing and all as-built plan and elevation drawings including all repair specifications to be deposited with the local Historic Environments Record within 30 days of completion of works.

EXTERNAL

Guildhall Planning Panel

3.10 Generally in favour of the development of the poor and untidy area behind nos. 3-7 Coney Street and the benefit of improved connectivity with the river and the Guildhall, but have some objections:

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- (i) The potential connection with the Guildhall Yard is poor and needs more emphasis as the steps down from the new passageway mask its location.
- (ii) The narrow and sloping access to the commercial bin storage is not acceptable, and could lead to rubbish being left outside the narrow passage besides the Guildhall access.
- (iii) The roof treatment to nos. 3-7 Coney Street is odd - the central step change in height does not balance the sloping ends. The zinc dormers on the front are an unacceptable material for Coney Street, and York roofscape generally.
- (iv) The area of public space allocation is too small compared with the areas allocated for outside commercial space. The passage is too narrow and the area of courtyard at the bottom of the steps is too small to be pleasant.
- (v) Access to bike storage is poor.

3.11 Other concerns:

- (i) The noise from existing ventilation fans will make the area unpleasant to be in.
- (ii) All the proposed units are restaurants/bars. Perhaps the units on the passageway could be better allocated for shop use. In addition, they will be near the residential flats and will need noise limits applied in the evening.
- (iii) The additional height of the addition floor and the proposed roofline may impact on Coney Street and the Mansion House setting.
- (iv) Some of the flat layouts are a little odd, and do not reflect the existing upper floor layouts of the listed buildings.

(Case Officer Note: on 03/10/23 the Panel had noted that some of its previous comments had been acted upon.)

Conservation Areas Advisory Panel

3.12 The Panel supports the overall concept of the proposals, welcomes the changes to the reinstated roofs to Coney Street with a reduction in the number of dormers, along with the alterations to the configuration of dormers and balconies at the rear, and considered that these are aspects of the scheme it could support. However, there are several elements over which the Panel had reservations:

- a) The question as to whether the existing top floor ceilings and cornices are still in place is entirely relevant and is symptomatic of a lack of detailed consideration of the value and significance of the surviving fabric.
- b) The pedestrian link to the river frontage involves the partial demolition of the ground floor of no.5 Coney Street, it's not clear whether that justification has been provided and if the harm is less than substantial, any public benefits of the proposals should be stated.

- c) The Panel notes that in the revised proposals, the width of the new 'snickleway' has been enlarged, allowing the partial retention of the existing cross-wall of no.5 Coney Street.

3.13 The Panel supports this application in principle and welcomes the changes that have been made but a much more rigorous approach should have been taken in the Heritage Statement and as it stands it does not comply with the requirements of the NPPF paragraph 206. Consequently, there is no clear evidence provided of heritage values, nor of significance, nor of the impact on significance the proposed interventions will make.

Historic England

3.14 Comments can be summarised as follows:

- The revised form of the glazed dormer balconies, change of glass balustrading at the rear to a brick parapet, and the reduction in size of (a) the rear dormer at no.7, (b) the width of the snickleway (c) the number of dormer windows to the front of no.7 and (d) the number of openings in the 17th century garden wall to no.7 is all welcome.
- The site has archaeological potential for complex waterlogged deposits that should be considered of national importance until demonstrated otherwise. The archaeological work identified as essential in the supporting information should have been carried out in advance of the submission. There is a lack of information about the necessary groundworks, there are no foundation details/proposals, no indication of what structural ground investigation work is required, meaning that it is not possible to understand the full impact. The required investigations should not be secured by planning condition as it is not possible to understand the significance or impacts on potentially nationally significant archaeology.
- We support the ambition of the proposal, particularly the mix of uses and opening up the riverside to the public. The investment in the shopfronts and new uses for the upper floors of the historic buildings along Coney Street is also welcomed. However, we consider that the applications do not meet the requirements of the NPPF, in particular paragraph numbers 135, 200, 205, 206, 208 and 212. The potential serious damage that could be caused to nationally important archaeology is our primary concern and there is no justification for this potential harm.

Council for British Archaeology

3.15 Comments can be summarised as follows:

- The revisions to the original proposals will greatly reduce the level of harm to the heritage significance of the site and its contribution to the character and appearance of the conservation area.
- There is a lack of detail about the proposed interventions on the upper floors and there are concerns about the cumulative effect of the proposals on the listed building's evidential value. The treatment of no.5 at every floor is barely acceptable for a listed building and the proposed layout for Apartment 2 straddles the first floor of nos.5 and 7, harming their historical significance as two separate buildings. We believe this would cause an unjustified level of harm to the significance of the listed buildings. This could be reduced by creating fewer, quality units but at present NPPF paragraphs 200, 205, 206 and 208 are not met.
- The 'Juliette balconies' are a contemporary architectural form that would be incongruous on the street elevation of Coney Street and setting of St Helen's Square.
- The CBA are also disappointed to see that no further archaeological evaluation of the site has been undertaken to inform these proposals as well as foundations and services at the rear of the site, archaeological evaluation is necessary to determine the best position of a lift shaft.

The Georgian Group

3.16 Comments can be summarised as follows:

- The Group welcome revisions to reduce the width of the proposed 'snickleway', reduce the number and size of openings within party walls and to redesign the proposed front dormers. No objection to the reintroduction of balconies but the design should replicate those visible in historic photographs.
- Maintain concerns regarding the over intensification of use of the upper floors through their formation into an excessive number of apartments which would result in loss of historic fabric and erosion of legibility of historic plan form.

York Civic Trust

3.17 Comments can be summarised as follows:

- The proposals regarding the first floor and above are largely positive, reinstating the pitched roof and renovating the front elevation and the internal and rear works. The revised elevations are a welcome improvement and the third-floor rear balconies are much less intrusive.
- The Juliette balconies across both nos.3 and 5 would obscure their vertical differentiation as two separate buildings, impeding the legibility of their historic form.

- The provision of 7 flats into the upper floors necessitates significant reconfiguration of the internal layout, impeding the legibility of the building's historic plan. Six larger flats would require far less internal alteration and be preferable. In addition, there is a failure to undertake proper archaeological or architectural investigation.

The small convenience of a slightly more direct route (ie. the new passageway) does not justify the partial demolition of a Grade II listed building. The harm to the heritage asset is not outweighed by the public benefit and runs the risk of setting an unwelcome precedent for the creation of passageways through listed buildings.

4.0 REPRESENTATIONS

Comments in Response to Neighbour Notification and Site Notices

4.1 Four representations received in support of the application; comments can be summarised as follows:

- The creation of a new route connecting Coney Street to a new riverside walkway, will enhance connectivity and accessibility within central York and will create a much-needed public space.
- The inclusion of residential apartments into the unused upper floors of buildings will bring new life to the area.
- The development will attract more visitors to the area and encourage them to explore the riverfront which is currently hidden. The new restaurants and/or cafes with external seating will provide additional amenities for the city and improve the visitor experience and create new jobs and investment.
- The proposal offers a long-term plan to the future growth potential of York's key trading streets and the benefits outweigh the loss of listed building fabric.
- Support the proposal for providing spaces but concern as to who might be renting the spaces and but the applicant should provide a range of uses that do not include Air BnB and the like.

4.2 One representation received objects to the application for the following reasons:

- The Christmas markets in York lock out residents due to the tourism crowding, the proposed snicket leaves Coney Street vulnerable to clogging up to the detriment of people of disability and partial sight.
- The proposed gap also has no clear foundation of historic significance as a feature compared to existing riverside access only metres away.

- Appreciate the attraction of refreshing this shopping street but transforming it into mostly living space is not what a high street is for and a new alleyway doesn't add vitality.

5.0 APPRAISAL

5.1 The key issues in assessment of this scheme are:

- Impact on the features of special architectural or historic interest of the listed buildings
- Character and appearance of the conservation area

5.2 The site lies with Character Area Eleven Central Shopping Area of the Central Historic Core Conservation Area Appraisal, which states (p.249) that Coney Street is a corruption of King Street which probably indicates that the route led to the palace of the tenth century Northumbrian rulers, on the site of the present Museum Gardens. In the early 14th century, it was considered the city's principal street no doubt due to its proximity to the River Ouse. The deep plots and surviving water lanes reveal the long-standing and profitable river trade once conducted from the warehouses along the banks. Coney Street's important status was confirmed by the re-building of the Guildhall there in 1449-59. Landmark buildings in the Guildhall and Mansion House (both Grade I listed buildings) lie just to the west and north of the site, respectively. No.9 Coney Street is a Grade II listed building and St Martins Church (Grade II*) is just to the south beyond 11 Coney Street (a modern two storey non-listed building). Immediately to the southeast lies the City Screen development (Building of Merit), a cinema and bar/restaurant complex that involved the refurbishment of the former Yorkshire Press printing works and now provides a riverside walkway with external seating areas, which is accessed via a gap between St Martins Church and no.13 Coney Street.

5.3 The central shopping area has a huge variety of building styles due to the pressure for development in the commercial heart of the city. Most buildings were purpose built with shops on the ground floor (CAA p.262). Commonly, the buildings are of load-bearing masonry, of three to four storeys and follow the same building line (CAA p.263). The CAA notes that there is intermittent access to the riverside is part of the historic character of the area. However, there are certain places where intervention could create more riverside public spaces similar to that by the City Screen Cinema (p.271).

5.4 The listing for nos.3, 5 and 7 Coney Street advises that they were originally four houses, one pair and two single (amalgamated to form department store) with a garden wall attached to rear, between nos. 5 and 7. There are early C18 with C19 rear extensions with alterations and shopfront c.1960. They are all 3-storey on the front and there is a plain parapet to all three buildings. A garden wall from 2m to 4m in height is noted to the rear between nos.5 and 7 and the RCHM records plaster

ceilings surviving on ground floor of No.5 (underceiled) and at rear of first floor of No.7, with nos.3 and 5 also having C18 staircases.

Listed Building Works

5.5 In terms of the impact of the proposals on the significance of the heritage assets, it is considered that the applicants have provided sufficient information to make a comprehensive assessment. The works to the frontage, apart from the removal of the shopfront to no.5, are mainly related to repair and maintenance.

5.6 The implementation of the scheme will involve the removal of historic fabric, including the ground floor of no.5, although it should be noted that the shopfront and the staircase between ground and first floor of no.5 are modern structures. It also involves creations of openings in the ground floor side elevations of 3 & 7 (in the frontal area of the properties). However, these have been reduced from the original submissions, which included the creation of 9 openings in the side elevation of no.7.

5.7 The scheme will also involve the creation of openings on the upper floors to create the residential accommodation, however, it retains an existing 17th century staircase on the second floor of no.7 and an existing 18th century staircase on the first and second floors of no.5. Historic ceilings in nos. 5 & 7 are also retained. The listing refers to an historic staircase in no. 3 but the conservation architect did not see such a staircase on site and it is assumed that it must have been removed at some point following the listing. The historic ceiling over No. 5 is not currently visible, its condition is unknown and it will be covered up again, however, it is considered that a condition should be imposed to safeguard its continued presence and the conservation of the historic fabric.

5.8 A lift will be introduced at the rear of no.3 to serve ground, first and second floors. This will require the excavation of a pit in the basement of no.5, but it is considered a condition can be imposed to mitigate the impact on archaeology. There are other works but these are considered to be fairly minor in terms of their potential impact, including the removal of an existing detached 20th century plant room to the rear of no.5, some external steps to the rear of no.7, part of a late 19th century plant room at first floor level to the rear of no.7 and some internal partition walls in the rear of nos.3 and 7.

5.9 The scheme originally involved creating openings in the rear wall to no.7 (i.e. facing no.5). This includes, in part, the garden wall referred to in the listing. These openings have been removed from the scheme following negotiations with officers thereby safeguarding the future of this historic element.

5.10 A considerable benefit is the construction of the pitched roofs to nos.3 to 7, which will help restore the original form of the buildings. In addition the rear extensions to the properties have become somewhat run down and are something

of an eyesore. The proposed works will revitalise the rear of the properties and improve the setting of the listed buildings immeasurably.

Conservation Area

5.11 In terms of the frontage, the reinstatement of the historic outline, by the construction of the pitched roofs, together with refurbishment of the front elevations, will enhance the street scene in the longer views and the appearance of the upper levels when viewed from the riverside.

5.12 The new walkway with steps down to the rear of the City Screen development will provide a new attractive thoroughfare down the river with external seating to the new restaurant sat the rear adding to the vibrancy of the location. The concerns about the width of the walkway have been addressed by extending the ground floor retail area at no.3 partly across the walkway in the frontal area. It is considered that the external alterations on the frontage will now complement the townscape qualities of the location and be a significant draw to the public as a result of improving access to the riverside, in line with the suggestion in the CAA.

5.13 At the rear a rather run-down existing 2 storey rear extension to no.3 will be replaced by a new two storey extension that will, together with the maintenance of a retained two storey extension further to the rear of the property, enhance the external appearance of the building and the visual amenities of the location. A new raised terrace at the rear of no.7, for external seating for a new restaurant, will also add to the vibrancy of the location.

5.14 The proposed works to the rear of the site are considered to be one of the most significant aspects of the scheme in terms of the improvements that will be realised result of the works. The rear part of the site is currently a considerable eyesore and has a major adverse impact on the character of the conservation area. The removal of old incongruous extensions, refuse bins, beer barrels etc. and unauthorised structures (storage hut and AC unit) and their replacement with newly paved public realm and external seating for restaurants will transform the character and ambience of the location and give a much need boost to the Authority's ambitions to expand access to the riverside. The works to the buildings will be beneficial to the character of the Conservation Area and will enhance the setting of nearby listed buildings, particularly the Grade I listed Guildhall.

Summary

5.15 Although the removal of historic fabric is considerable it needs to be balanced with the benefits of the proposals, which include improved access to the riverside, enhanced public realm between 3-5 Coney Street and the rear of the City Screen development, the introduction of residential use, the reintroduction of pitched roofs to nos.3-7 and the addition of new restaurant uses.

6.0 CONCLUSION

6.1 In assessing the proposal officers have considered the desirability of sustaining and enhancing the significance of the listed buildings and putting them to a viable use consistent with their conservation and the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality, as required by Paragraph 203 of the NPPF. They have also considered the impact it would have on the significance of the heritage assets (listed building and conservation area), as required by Paragraph 205 of the NPPF, and have judged that there will be less than substantial harm. Great weight has been given to the asset's conservation. As it is considered there will be harm, there is a need to weigh the proposal against the public benefits as outlined in Paragraph 208 of the NPPF. In this respect there are the benefits of bringing the upper floors back into residential use, there are works that will improve the external appearance of the buildings and thereby the contribution that they make to the townscape, there will be the economic benefits of new restaurant uses in an attractive location that the public can enjoy and there is also improved access to the riverside and improvements to the public realm that will make a significant contribution to the amenities of the conservation area. In this respect it is considered that the public benefits clearly outweigh the identified harm.

6.2 The proposals accord with policy and legislation concerning heritage assets. They comply with national planning guidance, as contained in the National Planning Policy Framework December 2023, and policies in the Publication Draft York Local Plan 2018.

7.0 RECOMMENDATION: Approve

1 TIMEL2 Development start within 3 yrs (LBC/CAC)

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

Proposed Site Plan	21067-CW-Z1-00-DR-A-0302	09
Proposed Lower Ground & Ground Floor Plans	21067-CW-Z1-00-DR-A-0310	23
Proposed First & Second Floor Plans	21067-CW-Z1-00-DR-A-0311	18
Proposed Third Floor & Roof Plans	21067-CW-Z1-00-DR-A-0312	16
Proposed Sections A-A & B-B	21067-CW-Z1-00-DR-A-0320	15
Proposed Sections C-C & D-D	21067-CW-Z1-00-DR-A-0321	17
Proposed Elevations Sheet 1	21067-CW-Z1-00-DR-A-0330	18
Proposed Elevations Sheet 2	21067-CW-Z1-00-DR-A-0331	14

Demolition Plans LG and G/F	21067-CW-Z1-00-DR-A-1001	08
Demolition Plans 1/F and 2/F	21067-CW-Z1-00-DR-A-1002	05
Demolition Plans Roof	21067-CW-Z1-00-DR-A-1003	05
Listed Building Detailed Works LG	21067-CW-Z1-00-DR-A-0341	06
Listed Building Detailed Works G/F	21067-CW-Z1-00-DR-A-0342	06
Listed Building Detailed Works 1/F	21067-CW-Z1-00-DR-A-0343	06
Listed Building Detailed Works 2/F	21067-CW-Z1-00-DR-A-0344	03
Listed Building Detailed Works 3/F	21067-CW-Z1-00-DR-A-0345	05
Listed Building Detailed Works R/F	21067-CW-Z1-00-DR-A-0346	04
Proposed Accessibility Strategy 1	21067-CW-Z1-00-DR-A-0351	04
Proposed Accessibility Strategy 2	21067-CW-Z1-00-DR-A-0352	02
Proposed Landscape Plan	21067-CW-Z1-00-DR-A-0361	08
Proposed Residential Cycle Parking	21067-CW-Z1-00-DR-A-0371	01
Proposed Additional Residential Cycle Parking	21067-CW-Z1-00-DR-A-0372	03
Design and Access Statement	21067-8003	07
DAS Addendum 1	21067-8004	01
DAS Addendum 2	21067-8005	00

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

3 Large scale details of the items listed below 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.

1:50 existing, demolition and proposed floor plans and 1:20 construction drawings for the proposed insertion of a new lift into the archaeologically sensitive basement

Reason: To ensure the impact on the historic fabric and archaeological remains from the creation of the lift pit is as limited as possible

4 Large scale details of the items listed below 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.

o 1:50 schematic drawings for surface water drainage to the new snickleway and all raised courtyard terraces, as well as and 1:20 (or 1:10 if needed) construction detailed for all abutments to existing fabric of walls and basement ceilings to ensure that neither would be exposed to the risk of water ingress and that there is no undue visual impact on listed buildings, their setting or the conservation

area

Reason: In the interests of protecting the special historic interest of the buildings and the character of the conservation area

5 Large scale details of the items listed below 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.

a) 1:50 drawings of all existing elevations indicating existing condition and proposed repair & conservation together with specifications for all proposed repairs & conservation works including any cleaning

b) 1:50 drawings of all newly exposed elevations following initial demolition works to create the new snickleway and rear terrace as well as the proposed removal of or alteration to rear outbuildings. The agreed principle of retention of existing historic fabric wherever possible must be adhered to. Particular care should be taken not to remove existing currently concealed wall buttresses and other traces of previous building phases to party walls or concealed rear elevations. For clarity, the drawings & specifications should be submitted immediately following the initial demolition and building works should not progress until drawings & specification are approved

c) Detailed window repair schedule

d) 1:20 drawings for proposed shop front including signage

e) 1:20 drawings for proposed entrances from snickleway including new/retained doors, door furniture, light, bells/intercom, signage etc.

f) 1:10 drawings for proposed secondary glazing

Reason: In the interests of protecting the special historic interest of the buildings and the character of the conservation area

6 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, including vision and any non-vision glazing, and flat or pitched roofs, 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.

Flat roofs shall be either stone ballast finished, paved or green/brown (no exposed single ply membranes).

Metal roofs shall be traditional standing seam type.

Samples shall be physical (not photographic) and shall be provided of sufficiently large size to be able to appropriately judge the material (including joints/fixings), and to be provided together where materials are seen together. Brick and pointing samples should be provided in the form of on-site sample panels of at least 1.2m x 1.2m overall for each type. The panel shall represent a minimum standard for the quality of workmanship that the development should achieve, and the panel shall remain on site for the duration of the brickwork package.

Note: Because of limited storage space at our offices sample materials should be 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: In the interests of protecting the special historic interest of the buildings and the character of the conservation area

7 A copy of all existing and all as-built plan and elevation drawings including all repair specifications shall be deposited with the local Historic Environments Record (HER) within 30 days of completion of works.

Reason: To ensure a record of works undertaken is kept and available in the future.

8 Details of the items listed below 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.

- a Detailed condition survey of all upper floors and roof spaces, including all currently inaccessible and concealed areas. For clarity, the latter includes walls and ceilings concealed by mid-C20 or later suspended ceilings or fittings if those are of low heritage value. For clarity, inaccessible or concealed areas includes the existing flat roof structures to ascertain the presence and condition of any historic timbers. The survey should be recorded to Historic England's Historic Building Survey Level 2.
- b Detailed historic phasing plans for all floors and roof spaces based on above findings and further research if required.
- c Update and review of the detailed assessment of significance for the extant fabric of the upper floors and roofs based on the detailed survey and historic phasing plans.
- d 1:50 drawings of all existing floorplans including all findings from the detailed survey.
- e 1:50 drawings of all proposed floorplans indicating proposed removal or retention, repair and conservation of newly recorded features together with relevant specifications for proposed repairs and conservation works
- f Detailed schedule of internal doors

- g Energy retrofit strategy including detailed proposals for the thermal upgrade of all retained elements including risk assessments for historic fabric
- h 1:50 M&E design including service routes/ penetrations / terminations and their impact on historic fabric;
- i 1:20 (or 1:10 if needed) details for proposed fire separation or fire upgrading of any historic fabric
- j 1:50 Structural design principle as well as 1:20 proposals for: any structural repairs to historic timbers or masonry; new openings in party walls; the proposed insertion of new stairs to existing rear extensions at Nos. 3 & 7. All detailed proposals to include details on treatment of existing adjacent finishes.

Reason: In the interests of protecting the special historic interest of the buildings

9 Prior to commencement of any demolition work, a method statement shall be submitted to and approved in writing by the local planning authority for the protection of the currently concealed historic plaster ceiling to the ground floor at No. 5. This must include the full height of the concealed wall abutment - unless proven otherwise, it should be assumed that the ceiling might be coved similarly to the historic plaster ceiling to the first floor of No. 7.

Once exposed, the historic plaster ceiling and wall abutments shall be laser scanned, photographed and their condition assessed by an ICON accredited plaster conservator. These records are to be submitted to the HER within 30 days of their completion.

Prior to commencement of any further demolition works to No. 5, proposals for essential conservation as well as proposed fixing details for the new suspended ceiling over the snickleway and ground floor shop shall be submitted and approved by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of protecting the special historic interest of the building

Contact details:

Case Officer: David Johnson

Tel No: 01904 551665