



Notice of a public meeting of

Planning Committee B

- To:** Councillors B Burton (Chair), Cullwick (Vice-Chair), Baxter, Coles, Fenton, Melly, Orrell, Vassie and Warters
- Date:** Thursday, 28 November 2024
- Time:** 4.30 pm
- Venue:** West Offices - Station Rise, York YO1 6GA

AGENDA

1. Apologies for Absence

To receive and note apologies for absence.

2. Declarations of Interest (Pages 1 - 2)

At this point in the meeting, Members and co-opted members are asked to declare any disclosable pecuniary interest, or other registerable interest, they might have in respect of business on this agenda, if they have not already done so in advance on the Register of Interests. The disclosure must include the nature of the interest.

An interest must also be disclosed in the meeting when it becomes apparent to the member during the meeting.

[Please see the attached sheet for further guidance for Members.]

3. Minutes (Pages 3 - 10)

To approve and sign the minutes of the last Planning Committee B meeting held on 17 October 2024.

4. Public Participation

At this point in the meeting members of the public who have registered to speak can do so. Members of the public may speak on agenda items or on matters within the remit of the committee.

Please note that our registration deadlines are set as 2 working days before the meeting, in order to facilitate the management of public participation at our meetings. The deadline for registering at this meeting is 5:00pm on Tuesday, 26 November 2024.

To register to speak please visit www.york.gov.uk/AttendCouncilMeetings to fill in an online registration form. If you have any questions about the registration form or the meeting, please contact Democratic Services. Contact details can be found at the foot of this agenda.

Webcasting of Public Meetings

Please note that, subject to available resources, this meeting will be webcast including any registered public speakers who have given their permission. The meeting can be viewed live and on demand at www.york.gov.uk/webcasts.

During coronavirus, we made some changes to how we ran council meetings, including facilitating remote participation by public speakers. See our updates (www.york.gov.uk/COVIDDemocracy) for more information on meetings and decisions.

5. Plans List

This item invites Members to determine the following planning applications:

a) 3 - 7 Coney Street, York [23/00420/FUL] (Pages 11 - 72)

External works to include extensions to the roofs to create an additional storey, partial demolition of no.5 Coney Street to form a walkway connection to the rear and new shopfronts in association with the creation of commercial, business and service floorspace (Class E), 7 no. residential units (Class C3). [Guildhall Ward]

b) 3 - 7 Coney Street, York [23/00421/LBC] (Pages 73 - 94)

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. [Guildhall Ward]

c) Model Farm House, The Green, Upper Poppleton, York, YO26 6DP [23/01704/FUL] (Pages 95 - 126)

Construction of 1no. dwelling on land to the rear of Model Farm following demolition of Nissen huts and barn with associated access, landscaping and parking and restoration of existing pole barn. [Rural West York]

d) Land To The West Of 1 To 8 Garthway, New Earswick, York [22/00440/FULM] (Pages 127 - 168)

Erection of 14no. dwellings with associated infrastructure following the demolition of 2 no. garage courts. [Huntington/New Earswick Ward]

6. Urgent Business

Any other business which the Chair considers urgent under the Local Government Act 1972.

Democracy Officer:

Jane Meller

Contact details:

- Telephone: (01904) 555209
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For more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting:

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এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (ہولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

Declarations of Interest – guidance for Members

- (1) Members must consider their interests, and act according to the following:

Type of Interest	You must
Disclosable Pecuniary Interests	Disclose the interest, not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.
Other Registrable Interests (Directly Related) OR Non-Registrable Interests (Directly Related)	Disclose the interest; speak on the item <u>only if</u> the public are also allowed to speak, but otherwise not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.
Other Registrable Interests (Affects) OR Non-Registrable Interests (Affects)	Disclose the interest; remain in the meeting, participate and vote <u>unless</u> the matter affects the financial interest or well-being: (a) to a greater extent than it affects the financial interest or well-being of a majority of inhabitants of the affected ward; and (b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest. In which case, speak on the item <u>only if</u> the public are also allowed to speak, but otherwise do not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.

- (2) Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.
- (3) Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations,

and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.

City of York Council

Committee Minutes

Meeting	Planning Committee B
Date	17 October 2024
Present	Councillors B Burton (Chair), Cullwick (Vice-Chair), Baxter (from 5.38 pm), Coles, Melly, Orrell, Vassie, Warters and Waudby (Substitute for Cllr Fenton)
Apologies	Councillor Fenton
Officers Present	Gareth Arnold, Development Manager Erik Matthews, Senior Planning Officer Ruhina Choudhury, Senior Lawyer Jodi Ingram, Lawyer

26. Declarations of Interest (4.32 pm)

Members were asked to declare at this point in the meeting any disclosable pecuniary interests or other registrable interests that they might have in the business on the agenda, if they had not already done so in advance on the Register of Interests.

The Chair noted, in relation to Item 4c, that although he knew the applicant, he did not consider himself to be pre-determined in the matter.

27. Minutes (4.32 pm)

Resolved: That the minutes of the last meeting held on 26 September 2024 were approved as a correct record, subject to the removal of the sentence 'Objections are on the grounds that the EA project does not fully protect Cell B15.' at minute 20.

28. Public Participation (4.34 pm)

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme.

29. Plans List (4.34 pm)

Members considered a schedule of reports of the Development Manager, relating to the following planning applications, outlining the proposals and

relevant policy considerations and setting out the views of consultees and officers.

**30. 102 Tadcaster Road, Dringhouses, York, YO24 1LT
[24/00404/FUL] (4.34 pm)**

Members considered a full application by Bootham Developments (York) Ltd for the erection of 4no. dwellinghouses to rear of 102 Tadcaster Road with associated access and landscaping works.

The Development Manager gave a presentation on the plans and provided an update, this included two additional conditions (21 and 22) which covered the landscape proposals for the boundary of the site to 104 and 108A Tadcaster Road and ensured that the planting will be covered for the lifetime of the development respectively. Also included was an amendment to the wording of condition 9 to include 'and hedgerow' following 'existing trees' and 'tree works'.

Responding to questions from Members on the plans, Officers reported that EV charging points were a requirement of building regulations and therefore not covered by planning. The applicant would choose an appropriate building control body to evidence adherence to building regulations. The boundaries between the properties were not specified in the plans, part of the development would have room for either a hedge or fence.

Public Speakers

Cllr Widdowson, Ward Cllr for Dringhouses and Woodthorpe Ward, spoke on behalf of local residents. She welcomed the reduction in the number of dwellings for the proposed development and raised a number of concerns including hedge protection, road safety, garden size for family homes and the parking of construction and landscaping vehicles.

In response to questions, she stated that, in her opinion, the amendment to condition 9 did not go far enough.

Joe Flanagan, the agent for the applicant, spoke in support of the application. He noted the changes that had been made to plans and the applicant's agreement to the amendment of condition 9.

In response to questions from Members, it was confirmed that all properties would have photovoltaic panels and heat pumps.

Officers responded to further questions from Members, and reported that:

- Conditions 5, 6 and 7 were standard conditions and the planning authority was responsible for ensuring that they were enacted to the required standard.
- The plan for the hedge, covered in the amended condition 9, would require approval from officers to ensure that the hedge was protected as far as reasonably possible.
- The target emission rates related to the draft local plan requirements; these were based on the 2013 building regulations.
- In relation to conditions 14 and 15, provision for hedgehog holes could be included. Swift bricks had not been recommended by the ecologist and they were not necessarily appropriate for every site.
- A s106 contribution was not required due to the size of the development; payments for education provision could be specified for developments that met the threshold. The application was received prior April 2024 which was when the biodiversity net gain requirements came into effect.
- Conditions 2 and 9 covered the Public Protection concerns relating to the construction site.
- The grass areas at the entrance to Hunters Way were part of the adopted highway, Highways should therefore take any action necessary to prevent parking on these areas.

Following debate, Cllr Vassie proposed the officer recommendation to approve the application, subject to the amendment to conditions for development to include hedgehog holes and swift boxes. This was seconded by the Chair.

On being put to a vote, with seven Members in favour and one against, it was:

Resolved: That officers be given delegated authority to approve the application as per the officer report and tabled update, subject to an amendment to condition 4 to include hedgehog holes and, following consultation with the CYC Ecologist, a possible amendment to condition 14 for the provision of swift bricks. The exact wording of this amendment to be agreed by the Chair and Vice-Chair.

Reason: The proposal as amended was considered to be appropriate in terms of its relationship to the pattern of development in the wider area. It is felt to be appropriate in highways and access terms and the proposed drainage strategy is acceptable. Subject to appropriate conditions attaching to any planning permission, it was felt that it

would not give rise to undue harm to the residential amenity of neighbouring properties or the landscape and biodiversity value of the site.

[5.19 – 5.26 pm, the meeting adjourned. Cllr Baxter joined the meeting]

**31. 34 Fulford Place, Hospital Fields Road, York, YO10 4FE
[24/01242/FUL] (5.26 pm)**

Members considered a full application by Mrs Olivia Adams for the change of use from residential apartment (Use class C3) to House in Multiple Occupation (Use class C4).

The Development Manager gave a presentation on the proposal, there was no update to the officer report.

Three speakers had registered to speak in objection to the application.

Public Speakers

Kenneth Fox, a resident of Fulford Place, raised concerns about the internal work that had taken place and the subsequent mess that had been left in communal areas. He spoke against student accommodation, noting a shortage of family accommodation.

In response to questions from Members he stated that there were no HMO licenses at the building.

Philip Heaton, spoke on behalf of leaseholders and residents as a Director of Fulford Place residents' management company. He questioned the accuracy of the HMO information, stating that any HMO would breach the leasehold agreement and further stating that that HMOs have a negative effect on communities.

Brian Docherty, a resident of Fulford Place, raised concerns regarding possible breaches of the leasehold agreement and questioned the planning process.

The Development Manager responded to questions from Members and reported that approval of the application would give permission for a change of use under the planning legislation; leases were not material planning matters. The Senior Lawyer present also confirmed that leasehold covenants were private agreements and not a material consideration when determining planning applications. The application

before members was a planning application for a change of use class, not a licensing issue. Should the applicant go on to operate the property as an HMO, they would require an HMO additional licence from CYC to do so.

Internal work undertaken at the property did not require planning permission.

The method used to assess the number of HMOs in the vicinity was also described by the Development Manager. It was acknowledged that the figure was unlikely to be 100% accurate, due to the many variables involved, including differences in when figures were updated and the number of assumptions that needed to be made when interpreting data. It was, however, the best assessment that could be made.

Following debate, the Chair proposed the officer recommendation to approve the application, subject to the conditions contained within the report. This was seconded by Cllr Melly. On being put to a vote, with six in favour and three against it was:

Resolved: That the application be approved.

Reason: The application property was considered to be appropriate for the needs of future occupants as a 3no. bedroom HMO, with provision for parking and secure cycle storage acceptable within this context. The existing density levels of current HMOs was below the policy threshold (at both Street Level and Neighbourhood Level). The works will respect the general character of the building and area and the impact on the amenity of neighbouring residents would be acceptable. It was considered that the proposal complies with national planning guidance, as contained in the National Planning Policy Framework, City of York Council Draft Local Plan 2018, and the requirements of the City of York Council's Supplementary Planning Document: Controlling the Concentration of Houses in Multiple Occupancy.

[6.10-6.19 pm, the meeting adjourned.]

32. 43 Broadway West, York, YO10 4JN [24/01160/FUL] (6.19 pm)

Members also considered a full application for a first-floor rear extension, recladding of existing 2no. dormers and installation of solar panels to rear roof.

The Development Manager gave a presentation on the plans and confirmed that there was no additional update. He responded to questions on the plans and explained that there would be some impact on light levels to neighbouring properties, but it was not likely to be significant.

Public Speakers

Jamie Wood, the applicant spoke in support of the application and explained that the changes would allow him to be able to live at home.

It was confirmed that no objections to the application had been received and cladding was given as an example of what could be carried out under permitted development.

Following a brief debate, Cllr Warters moved the officer recommendation to approve the application, this was seconded by Cllr Waudby.

Members voted unanimously in favour, and it was therefore:

Resolved: That the application be approved.

Reason: The works proposed would respect the general character of the building and area and the impact on the amenity of neighbouring residents would be acceptable. It was considered it complies with national planning guidance, as contained in the National Planning Policy Framework, City of York Council Draft Local Plan 2018, and the City of York Council's Supplementary Planning Document (House Extensions and Alterations).

[6.32 pm Cllr Waudby left the meeting]

33. Planning Appeal Performance and Decisions (6.32 pm)

The Development Manager presented a report which provided information on the planning appeal decision determined by the Planning Inspectorate between 01 April and 30 June 2024.

He confirmed that there had been no costs awarded against the council during the reported time frame.

Resolved: That the report be noted.

Reason: To keep members informed of the current position of planning appeals against the council's decisions as determined by the Planning Inspectorate.

Cllr B Burton, Chair

[The meeting started at 4.30 pm and finished at 6.40 pm].

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COMMITTEE REPORT

Date: 28 November 2023 **Ward:** Guildhall
Team: East Area **Parish:** Guildhall Planning Panel

Reference: 23/00420/FUL
Application at: 3 - 7 Coney Street York
For: External works to include extensions to the roofs to create an additional storey, partial demolition of no.5 Coney Street to form a walkway connection to the rear and new shopfronts in association with the creation of commercial, business and service floorspace (Class E), 7 no. residential units (Class C3).
By: Helmsley Securities Limited
Application Type: Full Application
Target Date: 6 December 2024
Recommendation: Approve

1.0 PROPOSAL**Site Location**

1.1 This application seeks planning permission for development at a terrace of three Grade II listed buildings 3, 5 and 7 Coney Street. The works include extensions to the roofs to create an additional storey, the formation of 7 no. residential units (Class C3) 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 (Class E). 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 location is defined as a primary retail frontage and lies within the Central Historic Core Conservation Area and the Area of Archaeological Importance (AAI). It is also within Flood Zone 1 and is 25m northeast of the River Ouse with Flood Zones 2 and 3 adjacent to the site. The site lies within Character Area 11 (Central Shopping Area) of the Central Historic Core Conservation Area Appraisal. It also lies within Primary Shopping Area (PSA), which is defined as the area where retail development is concentrated and covers all primary shopping frontages and those secondary shopping frontages that are contiguous and closely related to the primary shopping frontage.

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.

2.3 The key relevant sections and paragraphs of the NPPF are as follows.

Chapter 2 – Achieving Sustainable Development

2.4 Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 states that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways, these being:

- a) an economic objective – to help build a strong, responsive and competitive economy
- b) a social objective – to support strong, vibrant and healthy communities
- c) an environmental objective – to protect and enhance our natural, built and historic environment including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy

Chapter 6 – Building a Strong, Competitive Economy

2.5 Paragraph 85 states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

Chapter 7 – Ensuring the Vitality of Town Centres

2.6 Paragraph 90 states that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.

Chapter 9. Promoting Sustainable Transport

2.7 Paragraph 108 c) states that transport issues should be considered from the earliest stages of plan-making and development proposals, so that opportunities to promote walking, cycling and public transport use are identified and pursued.

Chapter 12 – Achieving Well Designed Places

2.8 Paragraph 135 states, inter alia, that planning policies and decisions should ensure that developments will achieve a number of aims including:

- function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development
- be visually attractive as a result of good architecture, layout and appropriate and effective landscaping
- are sympathetic to local character and history, including the surrounding built environment and landscape setting
- create places that are safe, inclusive and accessible and promote health and well-being with a high standard of amenity for existing and future users

2.9 Paragraph 136 states, inter alia, that trees make an important contribution to the character and quality of urban environments and that existing trees should be retained wherever possible. Paragraph 139 states that development that is not well designed should be refused.

Chapter 14 – Meeting the Challenge of Climate Change, Flooding and Coastal Change.

2.10 Paragraph 157 states, inter alia, that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change.

Chapter 15 – Conserving and Enhancing the Natural Environment

2.11 Paragraph 180 advises that planning policies and decisions should contribute to and enhance the natural and local environment and in 180 (d) that they should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

Chapter 16 – Conserving and Enhancing the Historic Environment

2.12 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. 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.

2.13 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.

2.14 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.

2.15 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.

2.16 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.

2.17 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)

2.18 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:

2.19 Policy SS3: York City Centre states that the streets, places and spaces of the city centre will be revitalised, and key commercial developments will be delivered and that it is identified as a priority area for a range of employment uses and is fundamental to delivering the plans economic vision. During the plan period it will be the principal location for the delivery of economic growth in the tourism, leisure and cultural sectors and will account for the majority of the employment growth identified in these sectors. Within the city centre it outlines that a number of development types are acceptable in principle, these include retail, food and drink and dwellinghouses, in particular the reuse of upper floors for residential use is encouraged. It also states that a number of principles will be taken into account when considering city centre development proposals, these include.

- i. Conserve and enhance the existing historic character of York City Centre whilst encouraging contemporary high quality developments that add to the sense of place and create a prestigious and desirable location for thriving businesses.
- ii. Enhance the quality of the city centre as a place and rediscover the outstanding heritage of the city with reanimated and revitalised streets, places and spaces and with improved settings to showcase important assets such as the Minster and Clifford's Tower.
- v. Create a strong evening economy by diversifying the current functions of the city centre to provide more for families and older people and encouraging activities to stay open later in the evening.
- vi. Retain and add to the city centre's retail offer and retain and strengthen independent shops.
- vii. Enhance the setting of the River Ouse and River Foss and their frontages, turning them into attractive, vibrant and bustling environments with improved access to the riverside and linkages to other parts of the city centre.
- ix. Deliver sustainable homes that provide quality, affordability and choice for all ages, including a good mix of accommodation.

2.20 Policy R3: York City Centre Retail states that the vitality and viability of the city centre is supported and enhanced, with the Primary Shopping Area (PSA) as shown on the policies map. The site lies within the PSA where proposals for main town centre uses other than retail (including food, drink and entertainment uses as part of a vibrant evening economy) will be supported where they, inter alia, are complementary to the PSA's retail function and contribute to the vitality and viability of the city centre and would not have a detrimental impact on the overall character and amenity of the PSA. The site also lies within Primary Retail Frontage where the Policy says that proposals involving the loss, by change of use or redevelopment, of ground floorspace class E shops will generally be resisted but that proposals for other uses may be permitted if it can be demonstrated, inter alia, that:

- the proposal has an active frontage and contributes to the vitality and viability of the primary shopping frontage; the proposed uses will provide a service direct to members of the public and can demonstrate a comparable footfall generation to a retail use;
- the proposal will have an attractive shop front which contributes positively to the appearance of the street;
- the proposal would not result in non-retail uses being grouped together in such a way that would undermine the retail role of the street;
- the proposal does not prevent upper floors from being effectively used, including the possibility of independent use; and
- there are not a large proportion of vacant ground floor premises in the immediate street.

2.21 Policy EC4: Tourism states that tourism in York will contribute to a diverse economy and that this will be achieved by supporting proposals that relate to, inter alia, the enhancement of the built environment and public realm, particularly around access to the river and showcasing York's built heritage and the establishment of a more diverse evening economy.

2.22 Policy D1: Placemaking states that development proposals will be supported where they improve poor existing urban and natural environments, enhance York's special qualities and better reveal the significances of the historic environment.

2.23 Policy D2: Landscape and Setting states, inter alia, that development proposals will be encouraged and supported where they:

- i. demonstrate understanding through desk and field based evidence of the local and wider landscape character and landscape quality relative to the locality, and the value of its contribution to the setting and context of the city, including natural and historic features and influences such as topography, vegetation, drainage patterns and historic land use;
- ii. protect and enhance landscape quality and character, and the public's experience of it and make a positive contribution to York's special qualities;
- iii. demonstrate a comprehensive understanding of the interrelationship between good landscape design, bio-diversity enhancement and water sensitive design;
- iv. create or utilise opportunities to enhance the public use and enjoyment of existing and proposed streets and open spaces;
- v. recognise the significance of landscape features such as mature trees

2.24 Policy D4: Conservation Areas states that development proposals within or affecting the setting of a conservation area will be supported where they; (i) are designed to preserve or enhance the special character and appearance of the conservation area and would enhance and better reveal its significance; (ii) respect

important views; and (iii) are accompanied by an appropriate evidence based assessment of the conservation area's special qualities, proportionate to the size and impact of the development and sufficient to ensure that impacts of the proposals are clearly understood

2.25 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.

2.26 Policy D6: Archaeology states that development proposals that affect archaeological features and deposits will be supported where:

- i. they are accompanied by an evidence based heritage statement that describes the significance of the archaeological deposits affected and that includes a desk based assessment and, where necessary, reports on intrusive and non-intrusive surveys of the application site and its setting; including characterisation of waterlogged organic deposits, if present;
- ii. they will not result in harm to an element which contributes to the significance or setting of a Scheduled Monument or other nationally important remains, unless that harm is outweighed by the public benefits of the proposal. Substantial harm or total loss of a Scheduled Monument or other nationally important remains 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;
- iii. they are designed to enhance or better reveal the significances of an archaeological site or will help secure a sustainable future for an archaeological site at risk; and
- iv. the impact of the proposal is acceptable in principle, detailed mitigation measures have been agreed with City of York Council that include, where appropriate, provision for deposit monitoring, investigation, recording, analysis, publication, archive deposition and community involvement.

2.27 Policy D11: Extensions and Alterations advises that development proposals will be supported where, inter alia, they respond positively to the immediate architectural context, local character and history in terms of the use of materials and detailing, scale and proportion, landscape design and the space between buildings and protect the amenity of current and neighbouring occupiers.

2.28 Policy GI2: Biodiversity and Access to Nature states, inter alia, that in order to conserve and enhance York's biodiversity, any development should, where appropriate, achieve net gain in biodiversity in accordance with The Environment Act 2021 (when enforced) and national policy, contributing to the recovery of priority species and habitats and new habitat creation.

2.29 Policy ENV2: Managing Environmental Quality states that development will be permitted where it does not unacceptably harm the amenities of existing and future occupants on the site and in neighbouring communities

2.30 Policy T1: Sustainable Access Development states that development will be permitted where it minimises the need to travel and provides safe, suitable and attractive access for all transport users to and within it, including those with impaired mobility, such that it maximises the use of more sustainable modes of transport.

2.31 Policy CC2: Sustainable Design and Construction of New Development states that developments should achieve high standards of sustainable design and construction by demonstrating energy and carbon dioxide savings in accordance with the energy hierarchy, water efficiency and good practice adaptation principles for climate resilience.

2.32 Policy H3: Balancing the Housing Market states, inter alia, that new residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities.

2.33 Policy WM1: Sustainable Waste Management states that sustainable waste management will be promoted by encouraging waste prevention, reuse, recycling, composting and energy recovery in accordance with the Waste Hierarchy and effectively managing all of York's waste streams and their associated waste arisings.

2.34 Policy ENV4: Flood Risk states that new development shall not be subject to unacceptable flood risk and shall be designed and constructed in such a way that mitigates against current and future flood events.

3.0 CONSULTATIONS

INTERNAL

Design and Conservation - Conservation Architect

3.1 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 principle 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 repairs and specifications and detailed drawings for the proposed shopfronts required.

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.

Design and Conservation - City Archaeologist

3.10 The site is likely to contain Roman deposits between Coney Street and the riverside below the level of the existing basements. In areas without excavation to basement level, medieval and post-medieval deposits will also survive. At the rear of the buildings, this may relate to reclaimed land and riverside use. The main archaeological impacts are expected to relate to:

- Landscaping and creation of steps to riverside
- Any areas of new build
- Any piling related to new build
- Any foundation strengthening required
- Any deep drainage or attenuation

3.11 A revised statement and accompanying reports have been submitted by the applicant's archaeological consultant. The results of the evaluation confirmed that modern and post-medieval deposits extended to c.2m below ground level. Impacts to the rear of the site should only impact upon post-medieval and later deposits.

3.12 A condition is required for an archaeological watching brief during any works in the basement (including SI works) and any ground disturbing work across the site in general for depths greater than 1m. Where archaeological deposits are encountered that cannot be preserved in-situ (which will be the preference) an excavation will need to be carried out.

Design and Conservation - Landscape Architect

3.13 The Landscape Architect originally had concerns that the proposed steps and hard landscape extend too far into the recommended root protection area of the existing tall, mature Lime tree. However, a revised scheme pulls the paving/steps a bit further away from the Lime tree, which would make a significant difference towards its safe retention. With this revision, and strict adherence to suitable construction details and a comprehensive arboriculture method statement and daily supervision by a suitably qualified arboriculturist during the critical operations, in theory it should be feasible to implement the proposed development without significant harm to the tree's welfare. A condition should be attached relating to a finalised, comprehensive, site-specific Arboricultural Method Statement and scheme of arboricultural supervision.

Design and Conservation - Ecologist

3.14 No objections, subject to conditions relating to the following matters:

- Biodiversity Net Gain (BNG) - It is noted that biodiversity gains will be provided through soft landscaping and roof terraces, it is however recommended that the applicant continues to work with a consultant ecologist to ensure appropriate

planting is provided within these areas, and that the ecological enhancements recommended within the Preliminary Ecological Appraisal are included within the final design.

- Construction Environmental Management Plan (CEMP) - The River Ouse is a candidate Site of Interest for Nature Conservation (cSINC), with the City of York section of the River Ouse being of national and regional importance for migratory fish including Sea Lamprey, River Lamprey and Atlantic salmon. Due to the proximity of the River Ouse to the application site, the provision of a CEMP is considered appropriate to minimise and mitigate the potential impacts of construction works.
- Lighting Plan - An external lighting report has been provided, however, further information will be required to ensure new soft landscaping and biodiversity enhancement features are of use to light sensitive species. A sensitive lighting scheme should be approved prior to any new lighting being installed on site.
- Nesting birds / Hedgehogs – Informatives recommended

Public Protection

3.15 The noise assessment considers existing noise levels and recommends glazing and ventilation measures to ensure that the internal noise levels of the proposed housing meet BS8233:2014 levels. However, the potential noise transfer from ground floor to the flats above needs to be covered by a condition requiring a detailed scheme of noise insulation measures for protecting the residential accommodation from noise generated by the proposed Class E use.

3.16 The applicant has submitted a Solmek Desk Top Study which concludes that further site investigation works are necessary. Officers agree and are satisfied that the appropriate information can be secured through (land contamination) conditions. In addition, conditions are required re:

- Details of any plant/machinery for proposed uses
- Details of any extraction equipment
- Restriction of the hours of demolition and construction works and requiring the submission of a Construction Environmental Management Plan (CEMP)

Flood Risk Management Team

3.17 We can confirm that due to the presence of shallow ground water and natural ground being predominantly clay, soakaways will not work on this site but in summary, the Flood Risk Management Team has no objections to the development in principle and in agreement with the response from Yorkshire Water, if planning permission is to be granted, conditions (and drainage notes) regarding separate systems of drainage for foul and surface and no piped discharge of surface water

from the development prior to the completion of surface water drainage works should be attached.

Waste Services

3.18 Waste Services advised, inter alia, that (if CYC undertook the collection) they only collect waste services from domestic properties. They also advised that suitable rubbish & recycling storage areas are needed to ensure segregation of household waste from commercial waste and that each domestic property would be allocated an 180L refuse bin and that 5 x 240L communal recycling bins would be provided. All doors, alleys and paths must be at least 2m wide to allow for safe manoeuvring of bins and that bin stores need to be large enough to hold all the required bins, with enough space to manoeuvre them in and out freely. In addition, the bin storage areas would need to be located no more than 10m from the collection point of the refuse vehicle and there should be a flat even surface between the bin store and the vehicle collection point (slopes no greater than 1:12).

Carbon Reduction

3.19 The sustainability statement states the ways in which the application aligns with Policies CC1 and CC2. The applicant has stated that “the carbon and water saving measures will be further developed as part of the later design stages. With these strategies, the building will meet or exceed the requirements for energy and carbon reductions”. This suggests that the Applicant will provide further information at later design stages. The following information will be needed in order to verify that the requirements of the draft local plan have been met, Baseline Emissions Rate (BER), Dwelling Emission Rate (DER) or Target Emissions Rate (TER). The Applicant must provide these figures when demonstrating the conditions for the planning application have been met through an AOD (conditions) application. The Applicant will also have to provide a BREEAM Design Stage Assessment Certificate to illustrate the BREEAM requirement has been met.

Highway Network Management

3.20 Following liaison with the applicant’s agents, Highways felt they could still not support the application due to insufficient landings in the walkway, provided to break-up the snickleway gradient, lack of clarity about the width of the walkway either side of the central column, an acceptable step from the walkway to restaurant at rear of no.3, only 7 residential cycle parking spaces whereas 11 required (the applicant should reallocate 8 commercial spaces to the residential with non-residential cycle parking provided elsewhere via a S106), gf apartment entrance to cycle parking is only 1.2m wide and should be at least 1.5m and insufficient space being provided around refuse bins

3.21 The agents responded with revised plans to the effect that:

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1. the gradients comply with Building Regulations and that due to the need to retain as much of the existing fabric of the listed buildings as possible, the gradients are worked to the “max. permissible” approach.
2. The agents advised that the entrance to the snickleway from Coney Street is 1.8m minimum width and then increases to 2m
3. The step is now a short ramp.
4. The gf cycle parking doorway is now shown as a powered (fob activated), self-closing and locking door.
5. With regard to refuse bins, 240L bins will be used as opposed to larger 1100L bins thereby allowing a greater circulation zone
6. The scheme now provides a total of 15 residential cycle spaces (part GF part LGF) and no commercial spaces. Planning Officers consider that this is an acceptable arrangement.

3.22 Highways accepted the position on items 1-4 but felt that Waste Services needed consulting on the refuse bins issue, that manoeuvring in the LGF cycle parking area would be improved by losing one space and that a S106 should be sought for commercial cycle parking in the city centre.

EXTERNAL

Guildhall Planning Panel

3.23 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:

- (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.

3.24 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

3.25 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.

3.26 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.

Designing out Crime Officer

3.27 It is pleasing to note that designing out crime recommendations have been taken into consideration in this planning application.

Yorkshire Water

Water Supply

3.28 A supply can be made available under the terms of the Water Industry Act of 1991.

3.29 Pumps and storage are recommended due to the nature of use of the new developments and also the inclusion of residential units in the 3rd floor roof space.

Waste Water

3.30 If planning permission is to be granted, conditions regarding the following should be attached in order to protect the local aquatic environment and Yorkshire Water infrastructure:

- No piped discharge of surface water from the development prior to the completion of surface water drainage works, details of which will have been submitted to and approved by the Local Planning Authority
- The submitted Drainage Philosophy requires amendments, regarding the means of draining surface water from the development
- Development of the site should take place with separate systems for foul and surface water drainage. The separate systems should extend to the points of discharge to be agreed
- The developer must provide evidence to demonstrate that surface water disposal via infiltration or watercourse are not reasonably practical before considering disposal to public sewer.

Historic England

3.31 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

3.32 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

3.33 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

3.34 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.

York & North Yorkshire Chamber of Commerce

3.35 Support the application for the following reasons:

- These plans will help to regenerate this part of the City Centre and represents a major investment in York that will benefit residents, visitors, and businesses.
- The new riverside access along with retail and leisure destinations will vastly improve the public realm.

- The plans will provide significant economic benefits including the creation of jobs and increased economic opportunities and will act as a catalyst for further investment and improvements,
- These plans will fully utilise currently underutilised buildings.

4.0 REPRESENTATIONS

Neighbour Notification and Publicity

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:

- Principle of Uses
- Internal and External Alterations and Extensions

- Archaeology
- Landscape
- Biodiversity
- Sustainability
- Waste
- Drainage
- Flood Risk
- Access and Sustainable Transport Modes

Principle of Uses

5.2 Although the proposal involves the loss of a small retail unit at no.5, the retention of two shops on the frontage at nos.3 and 7 will maintain the retail presence on the street, whilst the creation of two restaurant units to the rear will diversify the current use and add to the vibrancy and attractiveness of the city centre and generate footfall that is comparable to retail. The walkway will provide additional access to the river and improve urban realm by creating external restaurant seating areas and removing externally stored refuse material. The introduction of residential use into the upper floors in this city centre location is to be welcomed. It maximises the use of the properties, adds to the activity and vibrancy of the city centre and helps secure the maintenance and long-term future of these listed buildings.

5.3 In this respect it is considered that the proposal is in line with NPPF Paragraphs 85 and Paragraph 90. It is also in line with the following Draft Local Plan Policies SS3, EC4, R3, ENV2, T1, SS3 and H3.

Impact on Conservation Area and Listed Buildings

5.4 The site lies within 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.

5.5 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).

5.6 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

5.7 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.

5.8 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.

5.9 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.

5.10 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.

5.11 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.

5.12 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

5.13 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.

5.14 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.

5.15 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.

5.16 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

5.17 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. In addition, the improvement to the external areas between the application site and the City Screen development will give a be a welcome boost to this riverside location and will considerably increase footfall in the area, thereby showcasing York's built heritage to the public and adding to tourist attractions.

5.18 Overall, in this respect, it is considered that the benefits outweigh the harm that would be caused and that the scheme is in line with NPPF Paragraphs 135, 195, 200, 203, 205, 206, 208 and 212. It is also in line with Draft Local Plan Policies SS3, EC4, D1, D4, D5, D11, ENV2 and EC4.

Archaeology

5.19 The proposals have been scrutinised in detail by the City Archaeologist and, following discussions with the applicant's agents, a revised archaeological statement and accompanying reports were submitted. The results of the further evaluation confirmed that modern and post-medieval deposits extended to circa 2m below ground level and that impacts to the rear of the site should only impact upon post-medieval and later deposits. On the basis of the information provided officers are content that archaeological issues can be addressed by a condition requiring an archaeological watching brief during any works in the basement (including SI works) and any ground disturbing work across the site in general for depths greater than 1m. the condition would also need to specify that where archaeological deposits are encountered that cannot be preserved in-situ then an excavation will need to be carried out.

5.20 In this respect it is considered that the proposal is in line with NPPF Paragraphs 200, 205 and 206. it is also in line with Draft Local Plan Policy D6.

Landscaping

5.21 The main issue in respect of landscaping relates to a mature Lime tree located at the rear of the site. The Landscape Architect originally had concerns that the proposed steps and hard landscape extend too far into the recommended root protection area of this tree. However, a revised scheme pulls the paving/steps further away from the Lime tree making a significant difference towards its safe retention. A condition would need to be imposed relating to a finalised, comprehensive, site-specific Arboricultural Method Statement and scheme of arboricultural supervision.

5.22 In this respect it is considered that the proposal is in line with NPPF Paragraph 180 and with Draft Local Plan Policy D2.

Biodiversity

5.23 The applicants have provided an Ecological Appraisal with the submission, which outlines that biodiversity gains will be provided through soft landscaping and roof terraces. It is considered, however, that the applicant needs to continue to work with a consultant ecologist to ensure appropriate planting is provided within these areas, and that the ecological enhancements recommended within the Preliminary Ecological Appraisal are included within the final design. Also, the provision of an Construction Environmental Management Plan ; Biodiversity is considered appropriate to minimise and mitigate the potential impacts of construction works as the River Ouse is a candidate Site of Interest for Nature Conservation (cSINC), In addition, further information is required in respect of external lighting to ensure new soft landscaping and biodiversity enhancement features are of use to light sensitive species. These aspects should be covered by condition with an Informative attached to the decision notice in respect of nesting birds and hedgehogs.

5.24 With these conditions it is considered that the proposal would be in line with NPPF Paragraph 180 (d) and with Draft Local Plan Policy G12.

Sustainability

5.25 The applicant has provided a sustainability statement which outlines ways in which the application aligns with Draft Local Plan Policy CC2. It states that the development will use an energy hierarchy to identify what elements of the project should be considered and at what stage to obtain maximum value. It states that the energy hierarchy:

- Reduces building loads with passive design techniques.
- Controls and schedules the systems effectively to only serve the loads when needed
- Use highly efficient building services to meet the loads

- Maximises the use of additional renewable energy systems

5.26 The applicant has also stated that carbon and water saving measures will be developed as part of later design stages and that with these strategies the building will meet or exceed the requirements for energy and carbon reductions. For conversions and changes of use policy CC2 as modified seeks BREEAM Non-Domestic refurbishment and Fit-out “Very Good” and BREEAM domestic refurbishment “excellent”. , Proposals relating to heritage assets should demonstrate the maximum BREEAM score that can be achieved having balanced issues of significance and value to the historic environment with wider benefits to the economy and to the environment as appropriate.

5.27 The requirements of the draft Local Plan can be secured by condition.

Waste

5.28 A bin store accommodating 6 x 240L refuse bins is to be located on the ground floor immediately to the rear of the retail unit fronting no.3 to serve the residential units. Storage for refuse bins associated with the commercial uses is to be located in the lower ground floor area at the rear of no.3 with space for 18 x 1100L bins. The requirements outlined by Waste Services above refer to a situation where the Council would be collecting the refuse bins. However, the Transport Statement advises that the refuse will be collected by a private contractor and the agents have advised that the proposed layout and gradients are suitable for such an arrangement. The bins would be collected from Coney Street, and this would be done once a week separately for general waste and recycling collections, as set out in the submitted Transport Statement and as agreed for Zone 2-4 (Coney Street). Officers consider that the capacity that is being provided is sufficient for both residential and commercial uses and that the access arrangements for both refuse areas are acceptable.

5.29 In view of this it is considered that the proposal is in line with NPPF Paragraph 8 (c) and with Draft Local Plan Policy WM1.

Drainage

5.30 A Drainage Philosophy Statement submitted with the application states that the parts of the site in close proximity to the River Ouse are likely to consist of loamy and clayey floodplain soils with naturally high groundwater.

5.31 Officers are content that a soakaway scheme will not work on this site but conditions regarding separate systems of drainage for foul and surface and no piped discharge of surface water from the development prior to the completion of surface water drainage works would need to be imposed.

5.32 Subject to the imposition of such conditions it is considered that the proposal would be in line with NPPF Paragraph 157 and with Draft Local Plan Policy ENV4.

Flood Risk

5.33 A Flood Risk Assessment outlines that the upper floors of the scheme will not be impacted by flooding and that the vulnerability classification is assessed on the uses of the lower floors. The analysis concludes that the risk of flooding from all sources to the proposed development is currently low. It also states that the proposals should not increase the flood risk elsewhere off site for the following reasons:

- There will be no significant change to the impermeable surfacing and therefore any change to the flow rate and volume leaving the proposed development will be negligible.
- The impermeable areas within the site will be positively drained via a proposed drainage network to minimise surface water being shed onto adjacent properties

5.34 No mitigation is required in respect of tidal, fluvial, groundwater or artificial (i.e. reservoir) sources. In respect of overland flow and sewers it advises that it is either very low or unlikely and that mitigation can be provided by a positive sewage network that directs flow from low lying areas into positive drainage infrastructure and by drainage being designed in accordance with current best practices. This aspect will be covered via the conditions suggested above in the Drainage section of this report.

5.35 Subject to the imposition of such conditions it is considered that the proposal would be in line with NPPF Paragraph 173 and with Draft Local Plan Policy ENV4.

Access and Sustainable Transport Modes

5.36 The access to the development is via the new ramped walkway. Initial concerns about the width, gradient, landings and a step down to a restaurant use at the rear have now been resolved to the satisfaction of the highways section and officers are content that access for all members of the public to the facilities is acceptable.

5.37 The cycle parking provision has been revised during the application process so that there is now very generous provision for the residential units to encourage the use of this sustainable mode of transport (i.e. 15 spaces for 7 flats and 11 bedrooms. With regard to commercial cycle parking, Policy T1: Sustainable Access recognises that in some circumstances typical policy requirements will not be achievable and it is considered that this is applicable to the application site as it involves change of use and alterations to heritage assets in the city centre. In this respect, the scheme maximises potential residential cycle parking, which is considered to be an acceptable approach, and so an off-site contribution towards commercial cycle parking has not been sought. Given the location of the site and number of residential

flats in the development a Travel Plan is not considered to meet the necessity test for a planning condition and is not recommended.

5.38 6.19 In view of this it is considered that the proposal is in line with NPPF Paragraph 108 (c) and with Draft Local Plan Policy T1.

Public Sector Equalities Duty

5.39 Section 149 of the Equality Act 2010 contains the Public Sector Equality Duty (PSED) which requires public authorities, when exercising their functions, to have due regard to the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) Foster good relations between persons who share relevant protected characteristic and persons who do not share it.

5.40 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- a) Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to the characteristic;
- b) Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- c) Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

5.41 The PSED does not specify a particular substantive outcome but ensures that the decision made has been taken with “due regard” to its equality implications.

5.42 Officers have given due regard to the equality implications of the proposals in making this recommendation. There is no indication or evidence (including from consultation on this application) that any equality matters are raised that would outweigh the material planning considerations.

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. However, 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 an economic benefits of new restaurant uses and there is also improved access to the riverside that will make a 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 All other planning considerations as set out in the report are considered to be acceptable or can be mitigated by appropriate planning conditions. 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 TIME2

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

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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 The new walkway and external areas at the rear of the site shall not be used for storage purposes

4 A programme of post-determination archaeological mitigation, specifically an archaeological watching brief and excavation where necessary is required on this site.

The archaeological scheme comprises 3 stages of work. Each stage shall be completed and agreed by the Local Planning Authority before it can be approved.

A) No ground disturbing work including SI works, shall commence until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no ground disturbing work shall take place other than in accordance with the agreed WSI. The WSI should conform to standards set by LPA and the Chartered Institute for Archaeologists.

B) The site investigation and post-investigation assessment shall be completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition will be secured. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

C) A copy of a report (and evidence of publication if required) shall be deposited with City of York Historic Environment Record to allow public dissemination of results within 3 months of completion of fieldwork or such other period as may be agreed in writing with the Local Planning Authority.

Reason: The site lies within an Area of Archaeological Importance and the development may affect important archaeological deposits which must be recorded prior to destruction. This condition is imposed in accordance with Section 16 of NPPF.

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.

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

6 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 details 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

7 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

8 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

9 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 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.

- o Detailed historic phasing plans for all floors and roof spaces based on above findings and further research if required.
- o 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.
- o 1:50 drawings of all existing floorplans including all findings from the detailed survey.
- o 1:50 drawings of all proposed floorplans indicating proposed removal or retention, repair & conservation of newly recorded features together with relevant specifications for proposed repairs & conservation works
- o Detailed schedule of internal doors
- o Energy retrofit strategy including detailed proposals for the thermal upgrade of all retained elements including risk assessments for historic fabric
- o 1:50 M&E design including service routes/ penetrations / terminations and their impact on historic fabric;
- o 1:20 (or 1:10 if needed) details for proposed fire separation or fire upgrading of any historic fabric
- o 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

10 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 are to 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 are to 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

11 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.

12 A biodiversity enhancement plan/drawing shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the construction of the development. The content of the plan shall include, but not be limited to the recommendations set out in the Preliminary Ecological Appraisal provided by Wold Ecology Ltd. (January 2023). The development shall be carried out in accordance with the approved plan/drawing.

Reason: To take account of and enhance the biodiversity and wildlife interest of the area, and to be in accordance with Paragraph 174 d) of the NPPF (2021) to contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including establishing coherent ecological networks that are more resilient to current and future pressures.

13 No development shall take place (including ground works, demolition works and vegetation removal) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority.

The CEMP shall include (but not be limited to) the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of 'biodiversity protection zones'.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction.
- d) Details of pollution prevention measures to avoid harm and potential mortality to fish species from pollution.
- e) Details of biosecurity measures to stop the spread of waterborne diseases and Invasive Non-Native Species.
- f) Use of directional lighting during construction and operation.
- g) The location and timing of sensitive works to avoid harm to biodiversity features.
- h) Programme of pre-commencement checking surveys, such as nesting birds.

- i) Responsible persons and lines of communication.
- j) The roles and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- k) Use of protective fences, exclusion barriers and warning signs.

Reason: To facilitate the protection of notable/sensitive ecological features and habitats on the application site and within the local area.

14 Before the commencement of development, including demolition, excavations, and building operations, a finalised, comprehensive, site-specific Arboricultural Method Statement and scheme of arboricultural supervision, monitoring and record keeping, regarding protection measures for existing trees shown to be retained on the approved drawings, shall be submitted to and approved in writing by the Local Planning Authority. Amongst other information, this statement shall include a schedule of tree works if applicable; details and locations of protective fencing; phasing of protection measures; ground protection; site rules and prohibitions; types of construction machinery/vehicles to be used; specialist construction techniques; locations for stored materials; locations and means of installing utilities. The document shall also include the site operator's methodology and construction details and existing and proposed levels where a change in surface material is proposed within the recommended root protection area of an existing tree. The content of the approved document shall be strictly adhered to throughout development operations. A copy of the document shall be available for reference and inspection on site at all times.

Reason: To ensure every effort and reasonable duty of care is exercised during the development process in the interests of protecting the existing Lime tree shown to be retained which is considered to make a significant contribution to the amenity and setting of the conservation area and the development

15 Prior to the installation of any new external lighting, a lighting design plan shall be submitted to and approved in writing by the local planning authority. The plan shall: Demonstrate that required external lighting has been selected in-line with current guidance - Bat Conservation Trust (2018) Bats and artificial lighting in the UK.

<https://cdn.bats.org.uk/pdf/Resources/ilp-guidance-note-8-bats-and-artificiallightingcompressed.pdf?mtime=20181113114229&focal=none>

Demonstrate how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications), clearly demonstrated where light spill will occur.

Reason: To protect the habitats of European Protected Species where there might be changes on site in accordance with Section 15 of the National Planning Policy Framework.

16 Prior to development (excluding demolition), a site investigation and risk

assessment must be undertaken to assess the nature, scale and extent of any land contamination and the potential risks to human health, groundwater, surface water and other receptors. A written report of the findings must be produced and is subject to approval in writing by the Local Planning Authority. It is strongly recommended that the report is prepared by a suitably qualified and competent person.

Reason: To ensure that the site is suitable for its proposed use taking account of ground conditions and any risks arising from land contamination.

17 Where remediation works are shown to be necessary, development (excluding demolition) shall not commence until a detailed remediation strategy has been submitted to and approved by the Local Planning Authority. The remediation strategy must demonstrate how the site will be made suitable for its intended use and must include proposals for the verification of the remediation works. It is strongly recommended that the report is prepared by a suitably qualified and competent person

Reason: To ensure that the proposed remediation works are appropriate and will remove unacceptable risks to identified receptors.

18 Prior to first occupation or use, remediation works should be carried out in accordance with the approved remediation strategy. On completion of those works, a verification report (which demonstrates the effectiveness of the remediation carried out) must be submitted to and approved by the Local Planning Authority. It is strongly recommended that the report is prepared by a suitably qualified and competent person.

Reason: To ensure that the agreed remediation works are fully implemented and to demonstrate that the site is suitable for its proposed use with respect to land contamination. After remediation, as a minimum, land should not be capable of being determined as contaminated land under Part 2A of the Environmental Protection Act 1990.

19 In the event that unexpected contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and, if remediation is necessary, a remediation strategy must be prepared, which is subject to approval in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation strategy, a verification report must be submitted to and approved by the Local Planning Authority. It is strongly recommended that all reports are prepared by a suitably qualified and competent person.

Reason: To ensure that the site is suitable for its proposed use taking account of

ground conditions and any risks arising from land contamination.

20 No construction shall take place until a detailed scheme of noise insulation measures for protecting the residential accommodation above this proposed development from noise internally generated by the proposed Class E use has been submitted to and approved in writing by the Local Planning Authority. Upon completion of the insulation scheme works the Class E use shall not commence until a noise report demonstrating compliance with the approved noise insulation scheme has been submitted to and approved in writing by the Local Planning Authority.

INFORMATIVE: The building envelope of all residential accommodation shall be constructed so as to achieve internal noise levels in habitable rooms of no greater than 35 dB LAeq (16 hour) during the day (07:00-23:00 hrs) and 30 dB LAeq (8 hour) and LAFMax level during the night (23:00-07:00 hours) should not exceed 45dB(A) on more than 10 occasions in any night time period in bedrooms.

Reason: To protect the amenity of people above the proposed use from internally generated noise and in accordance with the National Planning Policy Framework

21 Details of all machinery, plant and equipment to be installed in or located on the premises, which is audible outside of the premises, shall be submitted to the local planning authority for approval. These details shall include average sound levels (LAeq), octave band noise levels and any proposed noise mitigation measures. The machinery, plant or equipment and any approved noise mitigation measures shall be fully implemented and operational before the proposed use first opens and shall be appropriately maintained thereafter.

Note: The combined rating level of any building service noise associated with plant or equipment at the site should not exceed the representative LA90 1 hour during the hours of 07:00 to 23:00 or representative LA90 15 minutes during the hours of 23:00 to 07:00 at 1 metre from the nearest noise sensitive facades when assessed in accordance with BS4142: 2014+ A1 2019, inclusive of any acoustic feature corrections associated with tonal, impulsive, distinctive or intermittent characteristics.

Reason: To protect the amenity of nearby properties and the environmental qualities of the area.

22 There shall be adequate facilities for the treatment and extraction of cooking odours. Details of the extraction plant or machinery and any filtration system required shall be submitted to the local planning authority for written approval. Once approved it shall be installed and fully operational before the proposed use first opens and shall be appropriately maintained and serviced thereafter in accordance with manufacturer guidelines.

Note: It is recommended that the applicant refers to the updated Guidance produced by EMAQ in September 2018 titled "Control of Odour and Noise from Commercial Kitchen Exhaust Systems (September 2018)" for further advice on how to comply with this condition. The applicant shall provide information on the location and level of the proposed extraction discharge, the proximity of receptors, size of kitchen or number of covers, and the types of food proposed. A risk assessment in accordance with APPENDIX 3 of the EMAQ guidance shall then be undertaken to determine the level of odour control required. Details should then be provided on the location and size/capacity of any proposed methods of odour control, such as filters, electrostatic precipitation, carbon filters, ultraviolet light/ozone treatment, or odour neutraliser, and include details on the predicted air flow rates in m³/s throughout the extraction system.

Reason: To protect the amenity of nearby properties and the environmental qualities of the area.

23 Prior to commencement of the development, a Construction Environmental Management Plan (CEMP) for minimising the creation of noise, vibration and dust during the demolition, site preparation and construction phases of the development shall be submitted to and approved in writing by the Local Planning Authority. The CEMP must include a site specific risk assessment of dust impacts in line with the guidance provided by IAQM (see <http://iaqm.co.uk/guidance/>) and include a package of mitigation measures commensurate with the risk identified in the assessment. All works on site shall be undertaken in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenity of the locality during the construction of the development

24 All demolition and construction works and ancillary operations, including deliveries to and dispatch from the site shall be confined to the following hours:

Monday to Friday 0800 to 1800 hours

Saturday 0900 to 1300 hours

Not at all on Sundays and Bank Holidays

Reason: In the interests of protecting the amenities of surrounding occupants

25 Details of the foul and surface water drainage for the development shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the development.

If discharge to public sewer is proposed, the information shall include, but not be exclusive to:-

a) evidence to demonstrate that surface water disposal via infiltration or watercourse are not reasonably practical,

- b) evidence of existing positive drainage to public sewer and the current points of connection, and
- c) the means of restricting the discharge to public sewer to the existing rate less a minimum 30 % reduction, based on the existing peak discharge rate during a 1 in 1 year storm event, to allow for climate change.

The site shall be developed with separate systems of drainage for foul and surface water. The separate systems should extend to the points of discharge to be approved.

There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works

Reason: To ensure that no surface water discharges take place and in the interest of sustainable drainage and in the interests of archaeology and the historic environment.

Drainage notes for the developer

- i) The public sewer network does not have capacity to accept an unrestricted discharge of surface water. Surface water discharge to the existing public sewer network must only be as a last resort, the developer is required to eliminate other means of surface water disposal, and
- ii) The applicant should be advised that the Yorkshire Waters prior consent is required (as well as planning permission) to make a connection of foul and surface water to the public sewer network.

26 The building shall not be occupied until the areas shown on the approved plans for parking and manoeuvring of bicycles have been constructed and laid out in accordance with the approved plans, and thereafter such areas shall be retained solely for such purposes.

Reason: In the interests of highway safety.

27 A method of works statement shall be submitted to and approved in writing by the Local Planning Authority prior to the development commencing. The statement shall include at least the following information:

- measures to prevent the egress of mud and other detritus onto the adjacent public highway;
- a dilapidation survey jointly undertaken with the local highway authority;

Reason: To ensure that the development can be carried out in a manner that will not be to the detriment of the safety of highway users.

28 The development hereby permitted shall achieve a BREEAM of:

- a) For the domestic part of the refurbishment - a rating of 'very good' (or equivalent)

b) For the non-domestic part of the refurbishment and fit out - a rating of 'excellent' (or equivalent) as a minimum.

Should the development be unable to achieve the required rating having balanced issues of significance and value to the historic environment, a statement shall be submitted to the Local Planning Authority describing the maximum score/rating that can be achieved. The statement shall be approved by the Local Planning Authority and the development carried out in accordance with the approved details.

Reason: To fulfil the environmental objectives of the NPPF and support the transition to a low carbon future, and in accordance with policy CC2 of the Draft Local Plan 2018

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 (paragraph 38) 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:

2. Informative - nesting birds: The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent

for a development does not provide a defence against prosecution under this act. Suitable habitat is likely to contain nesting birds between 1st March and 31st August inclusive. As such habitat is present on the application site and is to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is certain that nesting birds are not present.

3. Informative - Hedgehogs: Any potential hibernation sites including log piles should be removed outside the hibernation period (which is between November and March inclusive) in order to avoid killing or injuring hedgehog. Hedgehogs are of priority conservation concern and are a Species of Principal Importance under section 41 of the NERC Act (2006).

<https://www.britishhedgehogs.org.uk/wpcontent/uploads/2019/05/developers-1.pdf>

4. You are advised that prior to starting on site, consent will be required from the Highways Authority for the works being proposed under the Highways Act 1980 (or

legislation/regulations listed below). For further information, please contact the section(s) named:

Cafe licence (Section 115) - highway.regulation@york.gov.uk

Works in the highway (Section 171) - streetworks@york.gov.uk

5. CEMP INFORMATIVE

For noise details on hours of construction, deliveries, types of machinery to be used, use of quieter/silenced machinery, use of acoustic barriers, prefabrication off site etc, should be detailed within the CEMP. Where particularly noisy activities are expected to take place then details should be provided on how they intend to lessen the impact i.e. by limiting especially noisy events to no more than 2 hours in duration. Details of any monitoring may also be required, in certain situation, including the location of positions, recording of results and identification of mitigation measures required.

For vibration details should be provided on any activities which may results in excessive vibration, e.g. piling, and details of monitoring to be carried out. Locations of monitoring positions should also be provided along with details of standards used for determining the acceptability of any vibration undertaken. In the event that excess vibration occurs then details should be provided on how the developer will deal with this, i.e. substitution of driven pile foundations with auger pile foundations. Ideally all monitoring results should be recorded and include what was found and mitigation measures employed (if any).

With respect to dust mitigation, measures may include, but would not be restricted to, on site wheel washing, restrictions on use of unmade roads, agreement on the routes to be used by construction traffic, restriction of stockpile size (also covering or spraying them to reduce possible dust), targeting sweeping of roads, minimisation of evaporative emissions and prompt clean up of liquid spills, prohibition of intentional on-site fires and avoidance of accidental ones, control of construction equipment emissions and proactive monitoring of dust. Further information on suitable measures can be found in the dust guidance note produced by the Institute of Air Quality Management, see <http://iaqm.co.uk/guidance/>. The CEMP must include a site specific risk assessment of dust impacts in line with the IAQM guidance note and include mitigation commensurate with the scale of the risks identified.

For lighting details should be provided on artificial lighting to be provided on site, along with details of measures which will be used to minimise impact, such as restrictions in hours of operation, location and angling of lighting.

In addition to the above the CEMP should provide a complaints procedure, so that in the event of any complaint from a member of the public about noise, dust, vibration or lighting the site manager has a clear understanding of how to respond to complaints received. The procedure should detail how a contact number will be advertised to the public, what will happen once a complaint had been received (i.e. investigation), any monitoring to be carried out, how they intend to update the complainant, and what will happen in the event that the complaint is not resolved.

Written records of any complaints received and actions taken should be kept and details forwarded to the Local Authority every month during construction works by email to the following addresses public.protection@york.gov.uk and planning.enforcement@york.gov.uk

8.0 INFORMATIVES:

Contact details:

Case Officer: David Johnson

Tel No: 01904 551665

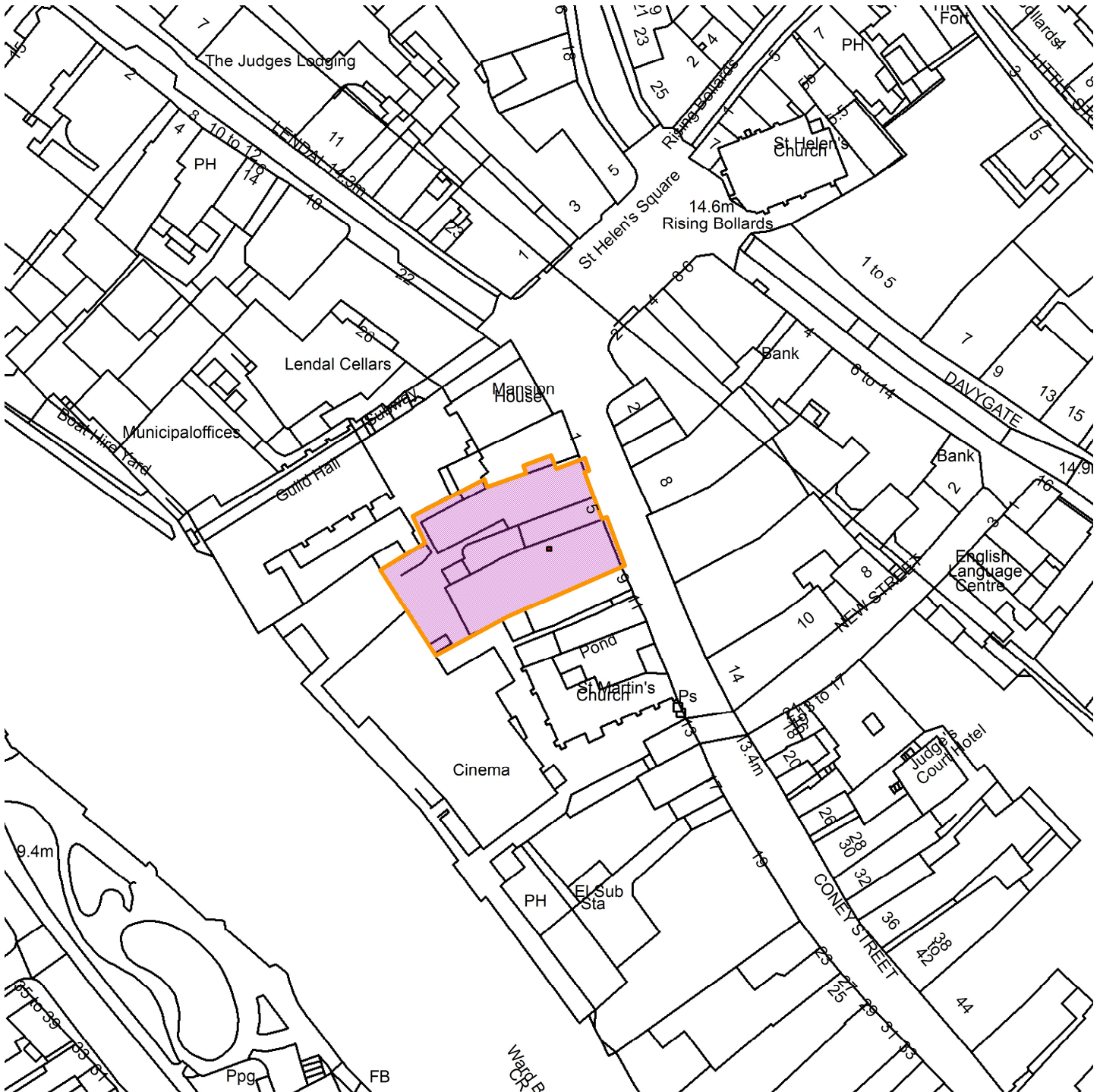
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3 - 7 Coney Street, York

23/00420/FUL



GIS by ESRI (UK)



Scale : 1:1195

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Produced using ESRI (UK)'s MapExplorer 2.0 - <http://www.esriuk.com>

Organisation	City of York Council
Department	Env, Transport & Planning
Comments	Site Location Plan
Date	18 November 2024
SLA Number	Not Set

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Planning Committee B

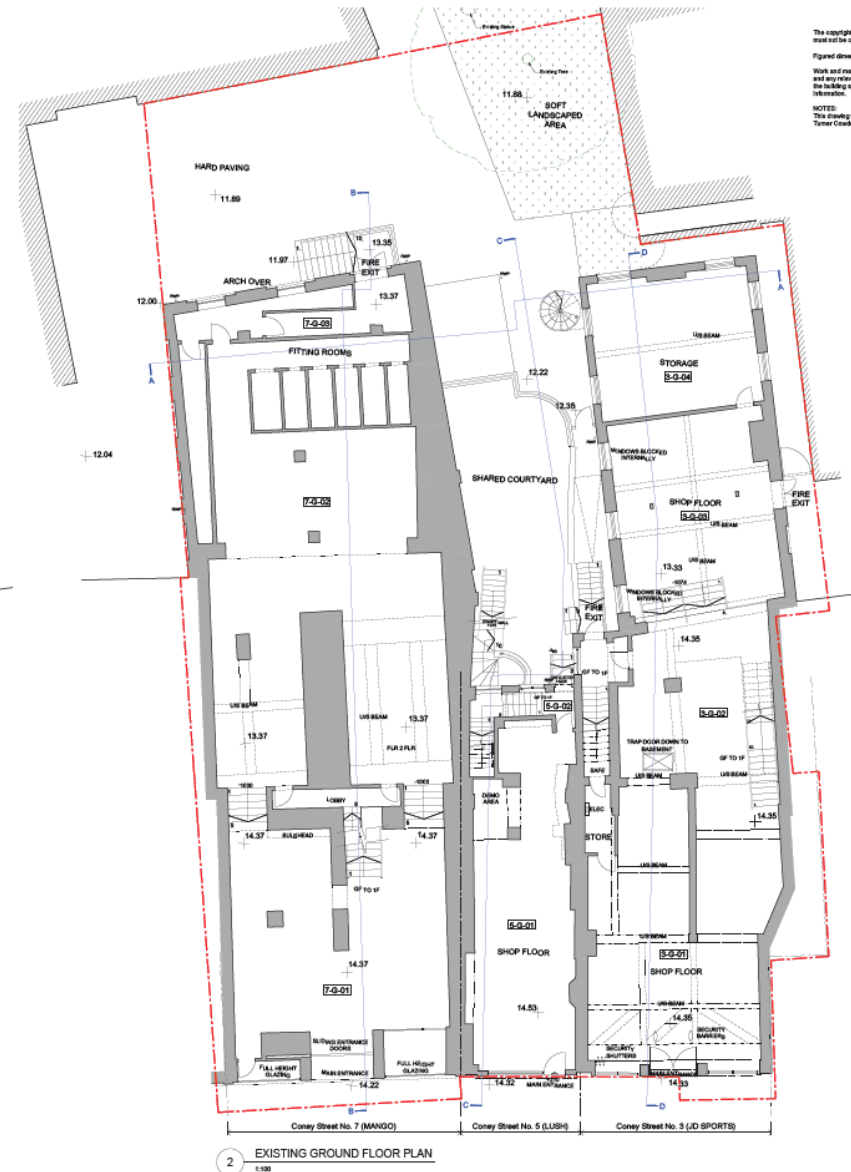
23/00420/FUL and 23/00421/LBC

3 – 7 Coney Street

Existing site plan



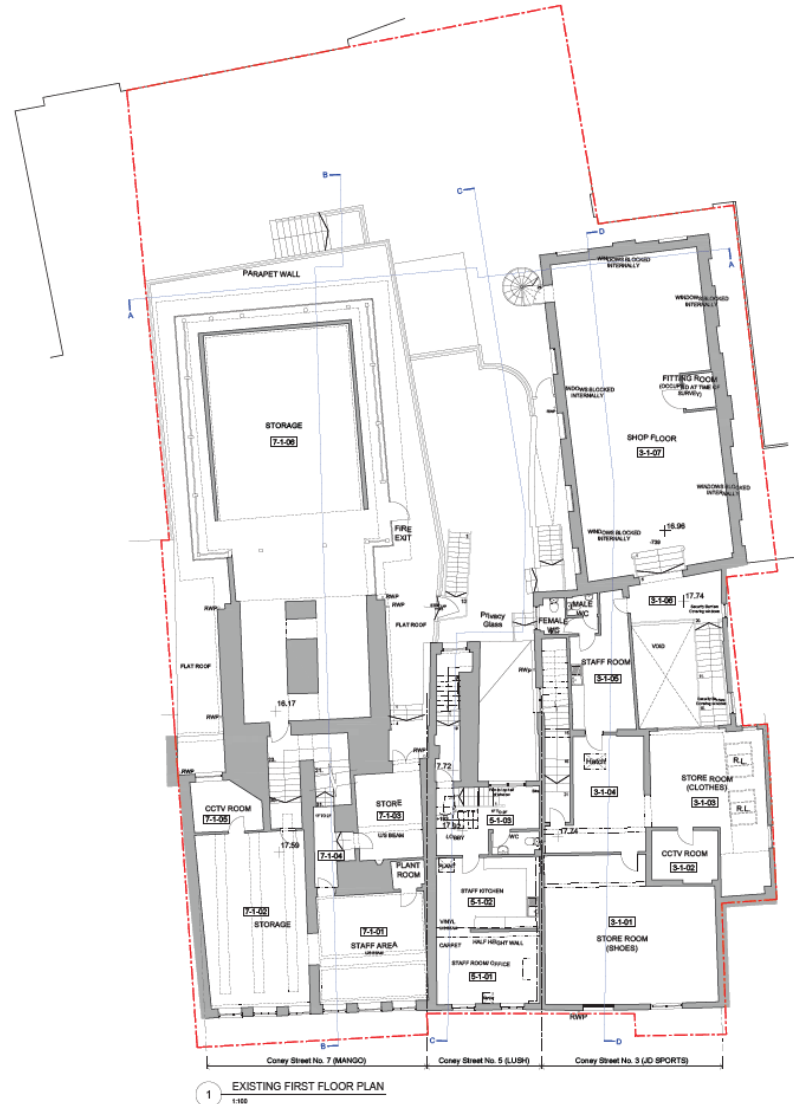
Existing lower ground And ground floor plans



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NOTES:
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		07 Software updated 21.02.24 KW AK	Client HEMSLEY GROUP Project 3-7 CONEY STREET, YORK Drawing Title LOWER GROUND & GROUND FLOOR PLANS AS EXISTING Drawing Status PLANNING	Corstophine & Wright Leeds Office 11th Floor, Castle House, 1 Wharf Approach, Leeds, LS1 4JH 0113 231 9616 www.corstophine-wright.com Drawing No. 21067-CW-Z1-00-DR-A-0210 Revision 07 Date 21.02.23
		08 Software added 18.02.23 KW AK 09 Issued for Planning 08.02.23 KW AK 10 Issued as work in progress 21.02.23 KW AK 11 Referenced to incorporate updated survey information 09.02.23 KW AK 12 Referenced to incorporate updated survey information 21.02.23 KW AK 13 Referenced to incorporate updated survey information 18.02.23 KW AK 14 Referenced to incorporate updated survey information 18.02.23 KW AK		

Existing first and second Floor plans

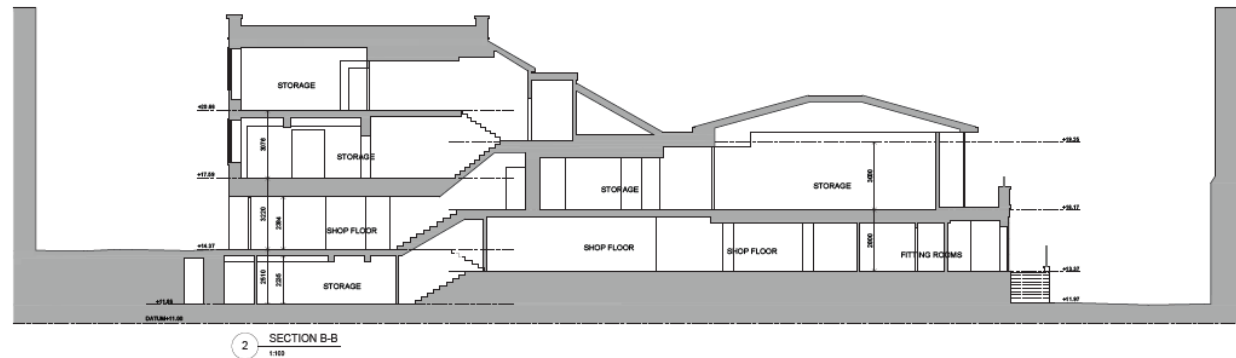
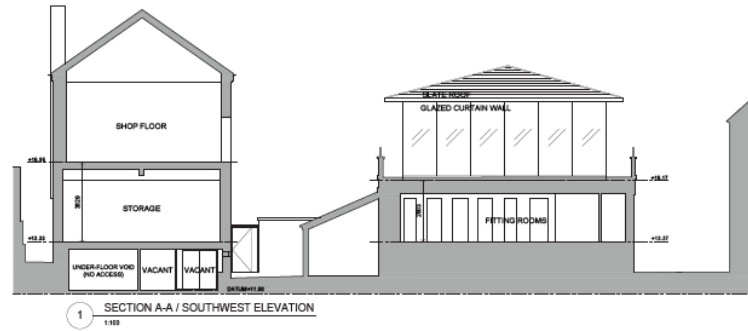


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NOTES:
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		<p>65 Issued for Planning 08.03.23 KW AR</p> <p>66 Issued for Building Regulations 21.03.23 KW AR</p> <p>67 Revised for Building Regulations 07.03.23 KW AR</p> <p>68 Revised for Building Regulations 21.03.23 KW AR</p> <p>69 Revised for Building Regulations 19.03.23 KW AR</p> <p>70 Revised for Building Regulations 08.03.23 KW AR</p>	<p>Client: HEMSLEY GROUP</p> <p>Project: 3-7 CONEY STREET, YORK</p> <p>Drawing Title: FIRST & SECOND FLOOR PLANS AS EXISTING</p> <p>Drawing Date: PLANNING</p>	<p>Corstorphine & Wright</p> <p>Leeds Studio The Studio, Condy House, 1 Wharf Approach, Leeds, LS1 4RN 0113 213 5658 corstorphine@cwright.com</p>	<p>Revision: 05</p> <p>Date: 03.02.23</p>

Existing sections

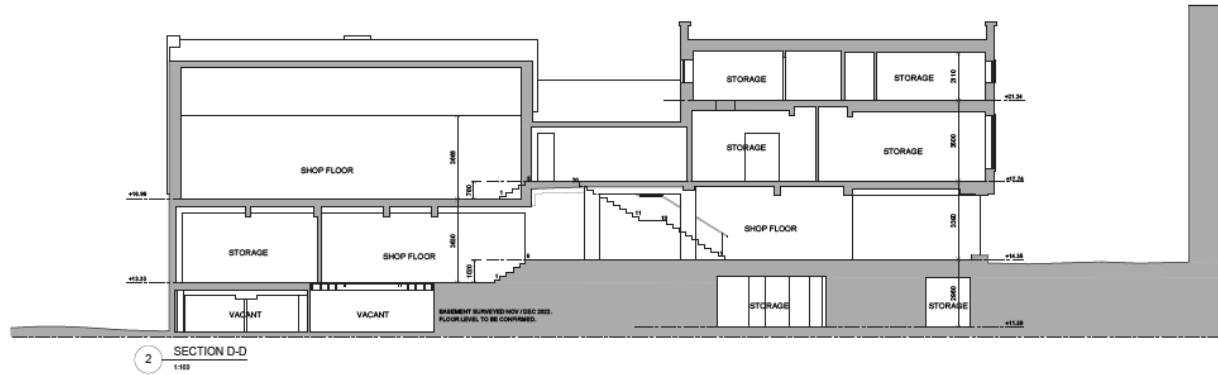
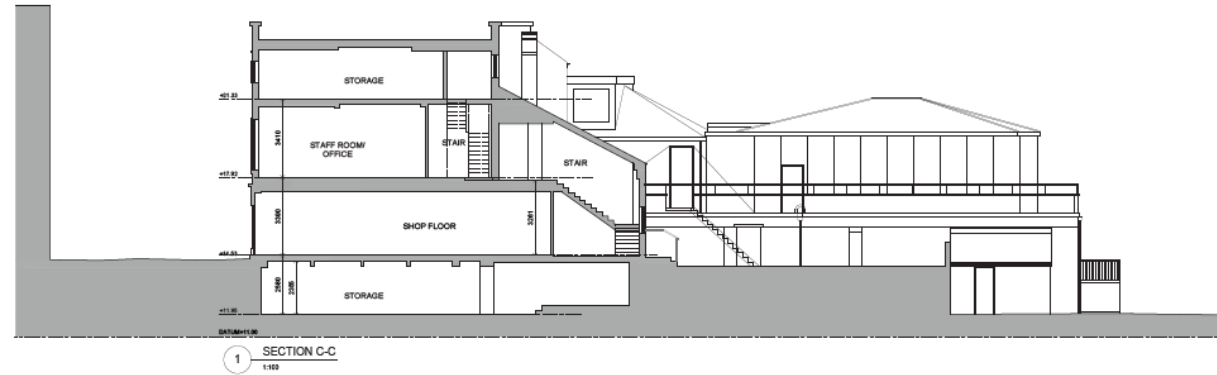
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Existing sections

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Existing elevations

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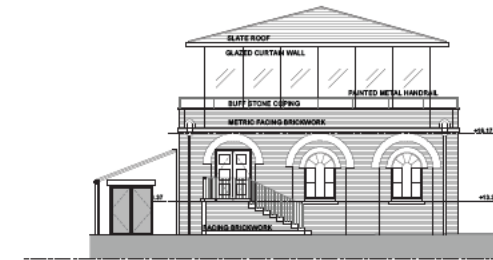
1 NORTHEAST (CONEY STREET) ELEVATION
1:100



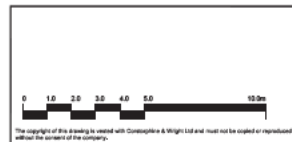
2 SOUTHWEST (REAR) ELEVATION
1:100



3 SOUTHWEST ELEVATION (3 CONEY STREET)
1:100



4 SOUTHWEST ELEVATION (7 CONEY STREET)
1:100



No.	Description	Date	By	Chk
04	Issued for Planning	03.02.23	KW	AR
05	Issued as work in progress	21.11.22	KW	AR
06	Revised to incorporate updated survey information	07.11.22	KW	AR
07	Revised to incorporate updated survey information	21.11.22	KW	AR
08	Final Issue	19.02.23	AR	AR

Client HEMSLEY GROUP		Corstorphine & Wright	
Project 3-7 CONEY STREET, YORK		Leeds Office The Studio, Canale House, 1 Wharf Approach, Leeds, LS1 4BH 0113 213 9630 corstorphine@wright.com	
Drawing Title ELEVATIONS AS EXISTING		Revision 21067-CW-Z1-00-DR-A-0230 04	
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Drawn KW	Checked AR	Paper Size A1	Scale 1:100

Existing elevations

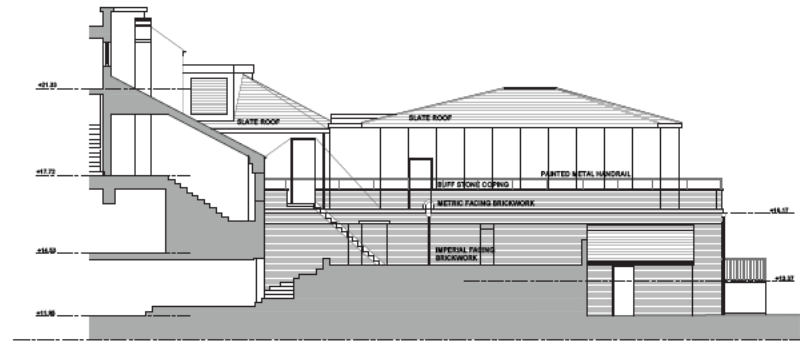
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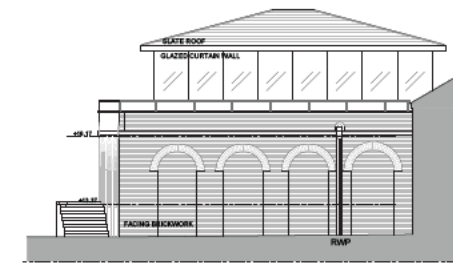
1 NORTH-WEST ELEVATION (3 CONEY STREET)
1:100



2 SOUTH-EAST ELEVATION (3 CONEY STREET)
1:100



3 NORTH-WEST ELEVATION (7 CONEY STREET)
1:100



4 SOUTH-EAST ELEVATION (7 CONEY STREET)
1:100

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	<p>Corstorphine & Wright</p> <p>Leeds Branch The Arcade, Castle House, 1 Wharf Approach, Leeds, LS1 4BH 0113 275 9999 www.corstorphineandwright.com</p> <p>Revision 04</p> <p>Date 03.02.23</p>	<p>Drawn KW</p> <p>Checked AR</p> <p>Paper Size A1</p> <p>Scale 1:100</p> <p>Date 03.02.23</p>		

Proposed site plan



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KEY
The red line indicates the land to which the Full Planning and Listed Building Consent applications relate and is based on information provided by the Applicant.

Please note: this drawing shall not be used to define legal boundaries. All legal boundaries shall be confirmed by the relevant land owner(s).

1 PROPOSED SITE PLAN
1:500

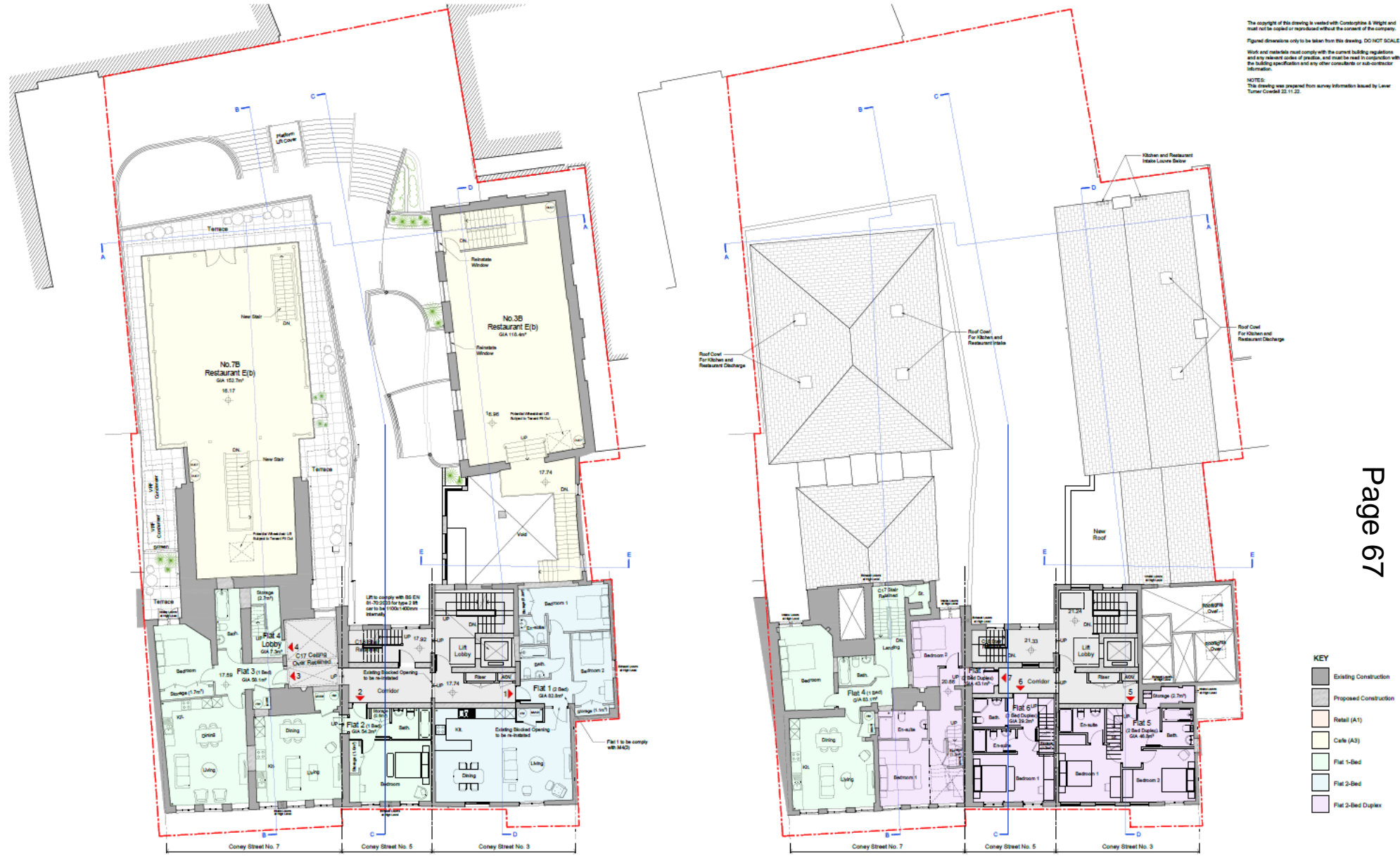
Proposed lower Ground and ground floor plans



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 NOTES:
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	10. 1:100 11. 1:100 12. 1:100 13. 1:100 14. 1:100 15. 1:100 16. 1:100 17. 1:100 18. 1:100 19. 1:100 20. 1:100 21. 1:100 22. 1:100 23. 1:100 24. 1:100 25. 1:100 26. 1:100 27. 1:100 28. 1:100 29. 1:100 30. 1:100 31. 1:100 32. 1:100 33. 1:100 34. 1:100 35. 1:100 36. 1:100 37. 1:100 38. 1:100 39. 1:100 40. 1:100 41. 1:100 42. 1:100 43. 1:100 44. 1:100 45. 1:100 46. 1:100 47. 1:100 48. 1:100 49. 1:100 50. 1:100 51. 1:100 52. 1:100 53. 1:100 54. 1:100 55. 1:100 56. 1:100 57. 1:100 58. 1:100 59. 1:100 60. 1:100 61. 1:100 62. 1:100 63. 1:100 64. 1:100 65. 1:100 66. 1:100 67. 1:100 68. 1:100 69. 1:100 70. 1:100 71. 1:100 72. 1:100 73. 1:100 74. 1:100 75. 1:100 76. 1:100 77. 1:100 78. 1:100 79. 1:100 80. 1:100 81. 1:100 82. 1:100 83. 1:100 84. 1:100 85. 1:100 86. 1:100 87. 1:100 88. 1:100 89. 1:100 90. 1:100 91. 1:100 92. 1:100 93. 1:100 94. 1:100 95. 1:100 96. 1:100 97. 1:100 98. 1:100 99. 1:100 100. 1:100	101. 1:100 102. 1:100 103. 1:100 104. 1:100 105. 1:100 106. 1:100 107. 1:100 108. 1:100 109. 1:100 110. 1:100 111. 1:100 112. 1:100 113. 1:100 114. 1:100 115. 1:100 116. 1:100 117. 1:100 118. 1:100 119. 1:100 120. 1:100 121. 1:100 122. 1:100 123. 1:100 124. 1:100 125. 1:100 126. 1:100 127. 1:100 128. 1:100 129. 1:100 130. 1:100 131. 1:100 132. 1:100 133. 1:100 134. 1:100 135. 1:100 136. 1:100 137. 1:100 138. 1:100 139. 1:100 140. 1:100 141. 1:100 142. 1:100 143. 1:100 144. 1:100 145. 1:100 146. 1:100 147. 1:100 148. 1:100 149. 1:100 150. 1:100 151. 1:100 152. 1:100 153. 1:100 154. 1:100 155. 1:100 156. 1:100 157. 1:100 158. 1:100 159. 1:100 160. 1:100 161. 1:100 162. 1:100 163. 1:100 164. 1:100 165. 1:100 166. 1:100 167. 1:100 168. 1:100 169. 1:100 170. 1:100 171. 1:100 172. 1:100 173. 1:100 174. 1:100 175. 1:100 176. 1:100 177. 1:100 178. 1:100 179. 1:100 180. 1:100 181. 1:100 182. 1:100 183. 1:100 184. 1:100 185. 1:100 186. 1:100 187. 1:100 188. 1:100 189. 1:100 190. 1:100 191. 1:100 192. 1:100 193. 1:100 194. 1:100 195. 1:100 196. 1:100 197. 1:100 198. 1:100 199. 1:100 200. 1:100	101. 1:100 102. 1:100 103. 1:100 104. 1:100 105. 1:100 106. 1:100 107. 1:100 108. 1:100 109. 1:100 110. 1:100 111. 1:100 112. 1:100 113. 1:100 114. 1:100 115. 1:100 116. 1:100 117. 1:100 118. 1:100 119. 1:100 120. 1:100 121. 1:100 122. 1:100 123. 1:100 124. 1:100 125. 1:100 126. 1:100 127. 1:100 128. 1:100 129. 1:100 130. 1:100 131. 1:100 132. 1:100 133. 1:100 134. 1:100 135. 1:100 136. 1:100 137. 1:100 138. 1:100 139. 1:100 140. 1:100 141. 1:100 142. 1:100 143. 1:100 144. 1:100 145. 1:100 146. 1:100 147. 1:100 148. 1:100 149. 1:100 150. 1:100 151. 1:100 152. 1:100 153. 1:100 154. 1:100 155. 1:100 156. 1:100 157. 1:100 158. 1:100 159. 1:100 160. 1:100 161. 1:100 162. 1:100 163. 1:100 164. 1:100 165. 1:100 166. 1:100 167. 1:100 168. 1:100 169. 1:100 170. 1:100 171. 1:100 172. 1:100 173. 1:100 174. 1:100 175. 1:100 176. 1:100 177. 1:100 178. 1:100 179. 1:100 180. 1:100 181. 1:100 182. 1:100 183. 1:100 184. 1:100 185. 1:100 186. 1:100 187. 1:100 188. 1:100 189. 1:100 190. 1:100 191. 1:100 192. 1:100 193. 1:100 194. 1:100 195. 1:100 196. 1:100 197. 1:100 198. 1:100 199. 1:100 200. 1:100	Client: HEMSLEY GROUP 3-7 CONEY STREET, YORK Project: PROPOSED LOWER GROUND & GROUND FLOOR PLANS Drawing No: 21067-CW-Z1-00-DR-A-0310 Drawing Date: 25.07.23 Drawing Status: PLANNING Client: KW AR A1 1:100 Date: 25.07.23	Corstorphine & Wright Leeds Studio The Studio, Castle House, 1 West Approach, Leeds, LS1 4PH 0113 273 9950 corstorphine@cwrl.com Drawing No: 21067-CW-Z1-00-DR-A-0310 Page No: 23 Date: 25.07.23
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Proposed first and Second floor plans



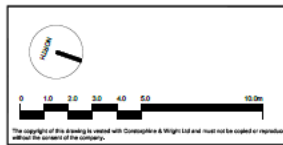
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Work and materials must comply with the current building regulations and any relevant codes of practice, and must be used in conjunction with the building specification and any other conditions or sub-contractor information.

NOTES:
This drawing was prepared from survey information based by Lerner Turner Cowell 22.11.22.

1 PROPOSED FIRST FLOOR PLAN
1:100

2 PROPOSED SECOND FLOOR PLAN
1:100



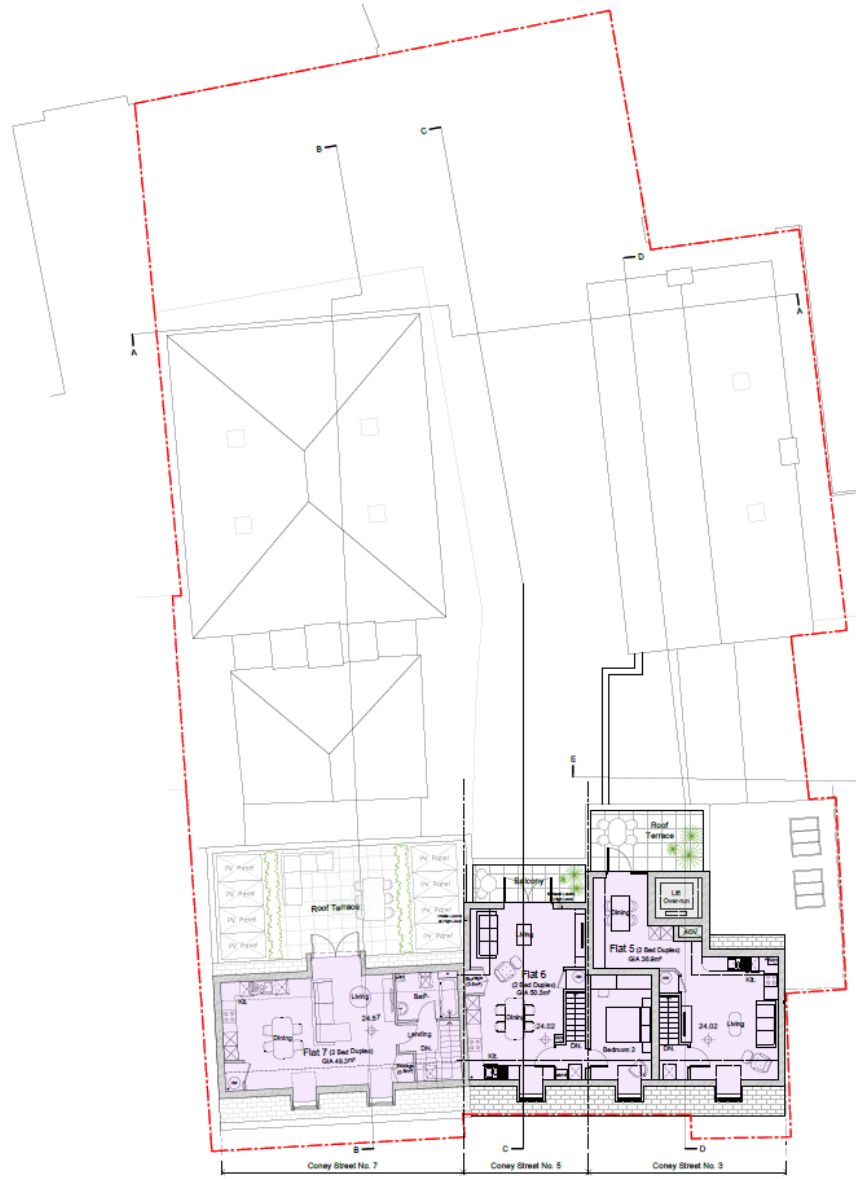
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11	Issued for planning	08.08.23	KW	AR	
12	Issued as work-in-progress	01.02.23	KW	AR	
13	Issued as work-in-progress	20.02.23	KW	AR	
14	Issued as work-in-progress	18.07.23	KW	AR	
15	Issued as work-in-progress	11.01.23	KW	AR	
16	Issued as work-in-progress	21.12.22	KW	AR	
17	Issued as work-in-progress	11.11.22	KW	AR	
18	Issued as work-in-progress	04.11.22	KW	AR	
19	Issued as work-in-progress	26.08.22	KW	AR	
20	Issued as work-in-progress	13.08.22	KW	AR	
21	Issued as work-in-progress	08.07.22	KW	AR	
22	Issued as work-in-progress	22.02.22	KW	AR	
23	Issued as work-in-progress	22.02.22	KW	AR	
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28	Issued as work-in-progress	08.07.22	KW	AR	
29	Issued as work-in-progress	22.02.22	KW	AR	
30	Issued as work-in-progress	22.02.22	KW	AR	
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36	Issued as work-in-progress	22.02.22	KW	AR	
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38	Issued as work-in-progress	11.11.22	KW	AR	
39	Issued as work-in-progress	04.11.22	KW	AR	
40	Issued as work-in-progress	26.08.22	KW	AR	
41	Issued as work-in-progress	13.08.22	KW	AR	
42	Issued as work-in-progress	08.07.22	KW	AR	
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45	Issued as work-in-progress	11.11.22	KW	AR	
46	Issued as work-in-progress	04.11.22	KW	AR	
47	Issued as work-in-progress	26.08.22	KW	AR	
48	Issued as work-in-progress	13.08.22	KW	AR	
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50	Issued as work-in-progress	22.02.22	KW	AR	
51	Issued as work-in-progress	22.02.22	KW	AR	
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53	Issued as work-in-progress	04.11.22	KW	AR	
54	Issued as work-in-progress	26.08.22	KW	AR	
55	Issued as work-in-progress	13.08.22	KW	AR	
56	Issued as work-in-progress	08.07.22	KW	AR	
57	Issued as work-in-progress	22.02.22	KW	AR	
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59	Issued as work-in-progress	11.11.22	KW	AR	
60	Issued as work-in-progress	04.11.22	KW	AR	
61	Issued as work-in-progress	26.08.22	KW	AR	
62	Issued as work-in-progress	13.08.22	KW	AR	
63	Issued as work-in-progress	08.07.22	KW	AR	
64	Issued as work-in-progress	22.02.22	KW	AR	
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67	Issued as work-in-progress	04.11.22	KW	AR	
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69	Issued as work-in-progress	13.08.22	KW	AR	
70	Issued as work-in-progress	08.07.22	KW	AR	
71	Issued as work-in-progress	22.02.22	KW	AR	
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81	Issued as work-in-progress	04.11.22	KW	AR	
82	Issued as work-in-progress	26.08.22	KW	AR	
83	Issued as work-in-progress	13.08.22	KW	AR	
84	Issued as work-in-progress	08.07.22	KW	AR	
85	Issued as work-in-progress	22.02.22	KW	AR	
86	Issued as work-in-progress	22.02.22	KW	AR	
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89	Issued as work-in-progress	26.08.22	KW	AR	
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91	Issued as work-in-progress	08.07.22	KW	AR	
92	Issued as work-in-progress	22.02.22	KW	AR	
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94	Issued as work-in-progress	11.11.22	KW	AR	
95	Issued as work-in-progress	04.11.22	KW	AR	
96	Issued as work-in-progress	26.08.22	KW	AR	
97	Issued as work-in-progress	13.08.22	KW	AR	
98	Issued as work-in-progress	08.07.22	KW	AR	
99	Issued as work-in-progress	22.02.22	KW	AR	
100	Issued as work-in-progress	22.02.22	KW	AR	

Client HEMSLEY GROUP		Project 3-7 CONEY STREET, YORK	
Drawing Title PROPOSED FIRST & SECOND FLOOR PLANS		Drawing No. 21067-CW-Z1-00-DR-A-0311	
Drawing Date PLANNING		Revision 18	
Drawn KW	Checked AR	Issue Date A1	Scale 1:100
Date 25.07.23		Date 25.07.23	

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Corstorphine & Wright
Leeds Branch
176-178, Castle House, 1 Wharf Approach, Leeds, LS1 4HQ
0113 213 9900
corstorphine@wright.com

Proposed third floor And roof plan



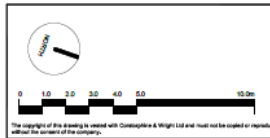
1 PROPOSED THIRD FLOOR PLAN
1:100



2 PROPOSED ROOF PLAN
1:100

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NOTES:
This drawing was prepared from survey information issued by Lewis Turner Cowdall 22.11.22.

- KEY**
- Existing Construction
 - Proposed Construction
 - Retail (A1)
 - Cafe (A3)
 - Flat 1-Bed
 - Flat 2-Bed
 - Flat 2-Bed Duplex



01	Updated to conservation officer's comments	26.07.23	KW	AR
02	Issued for Planning	03.03.23	KW	AR
03	Issued as work in progress	01.03.23	KW	AR
04	Issued as work in progress	20.01.23	KW	AR
05	Issued as work in progress	16.01.23	KW	AR
06	Issued as work in progress	11.01.23	KW	AR
07	Issued as work in progress	21.12.22	KW	AR
08	Issued as work in progress	26.11.22	KW	AR
09	Issued as work in progress	11.11.22	KW	AR
10	Client's Site Feedback	04.11.22	KW	AR
11	Issued as work in progress	28.08.22	KW	AR
12	Client's Site Feedback	13.08.22	KW	AR
13	Updated to Client's Comments	01.08.22	KW	AR
14	Client's Site Feedback	23.07.22	KW	AR
15	Additional consultation regarding retention of historic building fabric.	21.03.24	AR	AR
16	Changes required to include additional information as requested by client.	04.11.23	AR	AR
17	Final plan submitted	28.07.23	KW	AR

Drawn	21.03.24	AR	AR
Checked	04.11.23	AR	AR
Approved	28.07.23	KW	AR

Client
HEMSLEY GROUP

Project
3-7 CONEY STREET, YORK

Drawing Title
PROPOSED THIRD FLOOR & ROOF PLANS

Drawing Status
PLANNING

Client
Corstorphine & Wright

Leeds Studio
The Works, Capital House, 1 Water Approach, Leeds, LS1 4JH
0113 213 3900

Leeds
Corstorphine & Wright
21057-CW-Z1-00-DR-A-0312

Drawn	21.03.24	AR	AR
Checked	04.11.23	AR	AR
Approved	28.07.23	KW	AR

Proposed elevations 1 of 2

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Work and materials must comply with the current building regulations and any relevant codes of practice, and must be read in conjunction with the building specification and any other consultants or sub-contractor information.
NOTES:
This drawing was prepared from survey information issued by Lewis Turner Consultancy 22.11.23.



1 PROPOSED NORTHEAST (CONEY STREET) ELEVATION
1:100

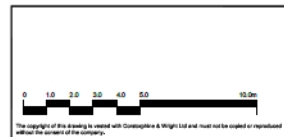


2 PROPOSED SOUTHWEST (REAR) ELEVATION 1
1:100



2 PROPOSED SOUTHEAST ELEVATION (3 CONEY STREET)
1:100

- KEY**
- 01 Natural Lime Render, Through-Coloured (Colour to be agreed)
 - 02 Painted Brickwork - Existing to be cleaned and repointed where required. Finished with Exterior Grade Mineral Paint (Colour to be agreed)
 - 03 Red Facing Brickwork - Existing to be cleaned and repointed where required. Repairs to be in reclaimed brick to match.
 - 04 Slate Roof - Existing to be made good. New roofs to be finished in natural slate to closely match existing.
 - 05 Zinc Cladding - Standing Beam profile, natural finish.
 - 06 Timber Shopfront - Details to be agreed subject to tenant fit-out requirements.
 - 07 Red Facing Brickwork - Slim Coursed Roman Brick. Colour and Texture to match existing brickwork adjacent.
 - 08 Reference not used - Item omitted.
 - 09 Glazing - Curtain Wall System with Silicone Joints
 - 10 Glazing - Timber Frame Windows - Existing to be retained & refurbished. New or replacement windows to match size and profile of existing.
 - 11 Glazing - PPC Aluminium Frame Windows - Double Glazed (Frame colour to be agreed).



10	Drawing updated to include additional information as recommended by LPA	04.11.23	AW	AW
11	Design review amendments to answer LPA queries	13.11.23	CB	AW
12	Updated to incorporate LPA's comments	25.07.23	KW	AW
13	Contract documents submitted	08.03.23	AW	AW
14	Issued for Planning	03.02.23	KW	AW
15	Issued for construction	01.02.23	KW	AW
16	Issued for construction	20.01.23	KW	AW
17	Issued for construction	18.01.23	KW	AW
18	Issued for construction	11.01.23	KW	AW
19	Issued for construction	21.12.22	KW	AW
20	Issued for construction	28.11.22	KW	AW
21	Issued for construction	11.11.22	KW	AW
22	Issued for construction	26.08.22	KW	AW
23	Issued for construction	19.07.22	AW	AW
24	Final Issue			

14	Revised to incorporate LPA's comments	25.07.23	AW	AW
15	Revised to incorporate LPA's comments	08.03.23	AW	AW
16	Revised to incorporate LPA's comments	03.02.23	KW	AW
17	Revised to incorporate LPA's comments	01.02.23	KW	AW
18	Revised to incorporate LPA's comments	20.01.23	KW	AW
19	Revised to incorporate LPA's comments	18.01.23	KW	AW
20	Revised to incorporate LPA's comments	11.01.23	KW	AW
21	Revised to incorporate LPA's comments	21.12.22	KW	AW
22	Revised to incorporate LPA's comments	28.11.22	KW	AW
23	Revised to incorporate LPA's comments	11.11.22	KW	AW
24	Revised to incorporate LPA's comments	26.08.22	KW	AW
25	Revised to incorporate LPA's comments	19.07.22	AW	AW
26	Revised to incorporate LPA's comments	11.07.22	AW	AW

Client HEMSLEY GROUP		Project 3-7 CONEY STREET, YORK	
Drawing Title PROPOSED ELEVATIONS SHEET 1		Drawing No. 21067-CW-Z1-00-DR-A-0330	
Drawing Date PLANNING		Date 25.07.23	
Drawn KW	Checked AR	Approved AW	Scale 1:100

Proposed elevations 2 of 2

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NOTES:
This drawing was prepared from survey information issued by Lewer Turner Coated 23.11.22.



1 PROPOSED NORTHWEST ELEVATION (3 CONEY STREET)
1:100



3 PROPOSED SOUTHWEST (REAR) ELEVATION 2
1:100



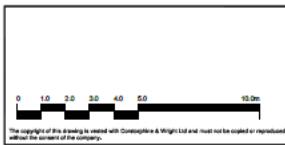
3 PROPOSED NORTHWEST ELEVATION (7 CONEY STREET)
1:100



4 PROPOSED SOUTHEAST ELEVATION (7 CONEY STREET)
1:100

KEY

- 01 Natural Lime Render, Through-Coloured (Colour to be agreed)
- 02 Painted Brickwork - Existing to be cleaned and repointed where required. Finished with Exterior Grade Mineral Paint (Colour to be agreed)
- 03 Red Facing Brickwork - Existing to be cleaned and repointed where required. Repairs to be in reclaimed brick to match.
- 04 Slate Roof - Existing to be made good. New roofs to be finished in natural slate to closely match existing
- 05 Zinc Cladding - Standing Seam profile, natural finish.
- 06 Timber Shepfront - Details to be agreed subject to tenant fit-out requirements.
- 07 Red Facing Brickwork - Slim Coursed Roman Brick. Colour and Texture to match existing brickwork adjacent.
- 08 Metal Railings designed to reflect historic character - Paint / Coated Finish (Colour: Black)
- 09 Glazing - Curtain Wall System with Silicone Joints
- 10 Glazing - Timber Frame Windows - Existing to be retained & refurbished. New or replacement windows to match size and profile of existing.
- 11 Glazing - PPC Aluminium Frame Windows - Double Glazed (Frame colour to be agreed)
- 12



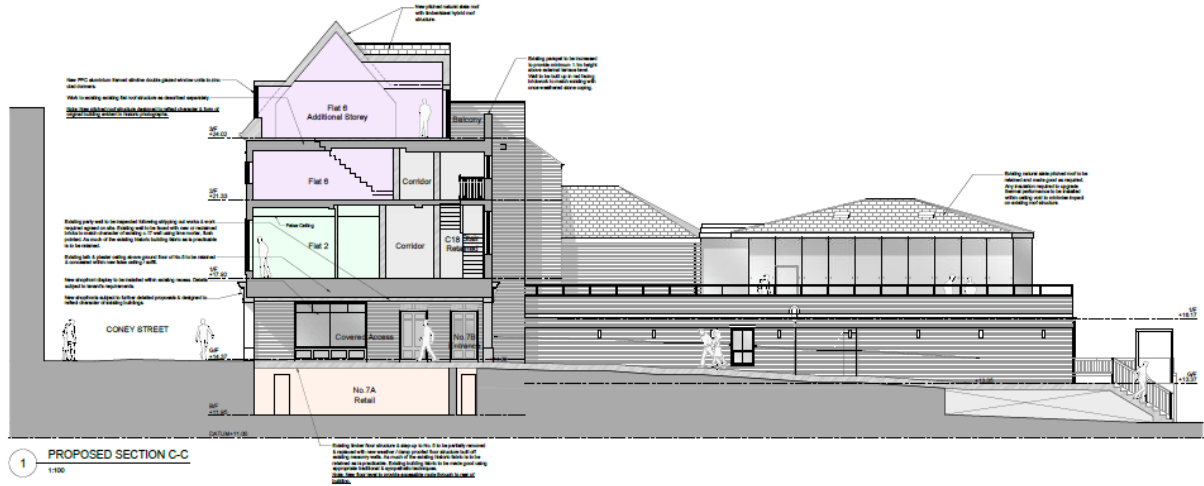
13	Additional elevation depicting elevation of historic building fabric.	21.03.24	AW	28
14	Revisions to be agreed with COWC, 15.09.24	18.01.24	KW	AR
11	Drawing updated to include additional information as recommended by SPA	04.10.23	AW	AR
10	Updated to incorporate architect's comments	28.07.23	KW	AR
09	Issued for Planning	03.02.23	KW	AR
08	Issued as work-in-progress	01.02.23	KW	AR
07	Issued as work-in-progress	20.01.23	KW	AR
06	Issued as work-in-progress	14.01.23	KW	AR
05	Issued as work-in-progress	11.01.23	KW	AR
04	Issued as work-in-progress	21.10.22	KW	AR
03	Issued as work-in-progress	28.11.22	KW	AR
02	Issued as work-in-progress	11.11.22	KW	AR
01	Issued as work-in-progress	28.08.22	KW	AR
00	Final Issue	14.07.22	AW	AR
	Drawn	AW	AR	

14	Revised to incorporate COWC recommendations on courtyard access	15.10.24	AW	AR
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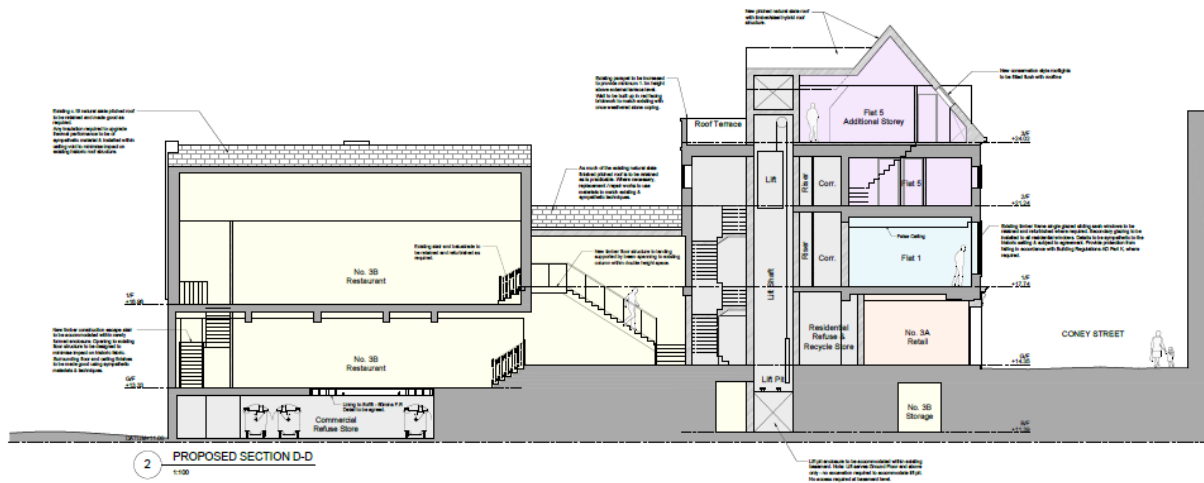
Client HEMSLEY GROUP		Corstorphine & Wright	
Project 3-7 CONEY STREET, YORK		Lewes Works The Studio, Castle House, 1 Walnut Approach, Lewes, BN1 4JH 01752 713365 corstorphine@wright.com	
Drawing Title PROPOSED ELEVATIONS SHEET 2		Drawing No. 21067-CW-Z1-00-DR-A-0331	
Drawing Date PLANNING		Revision 14	
Drawn KW	Checked AR	Plot Size A1	Scale 1:100
		Date 25.07.23	

Proposed section C-C and D-D

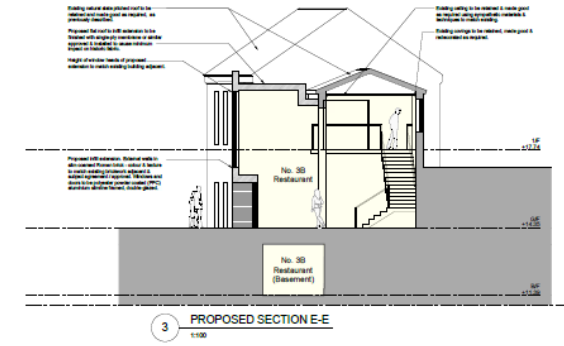
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NOTES:
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1 PROPOSED SECTION C-C
1:100



2 PROPOSED SECTION D-D
1:100



3 PROPOSED SECTION E-E
1:100

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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 PROPOSALSite 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:

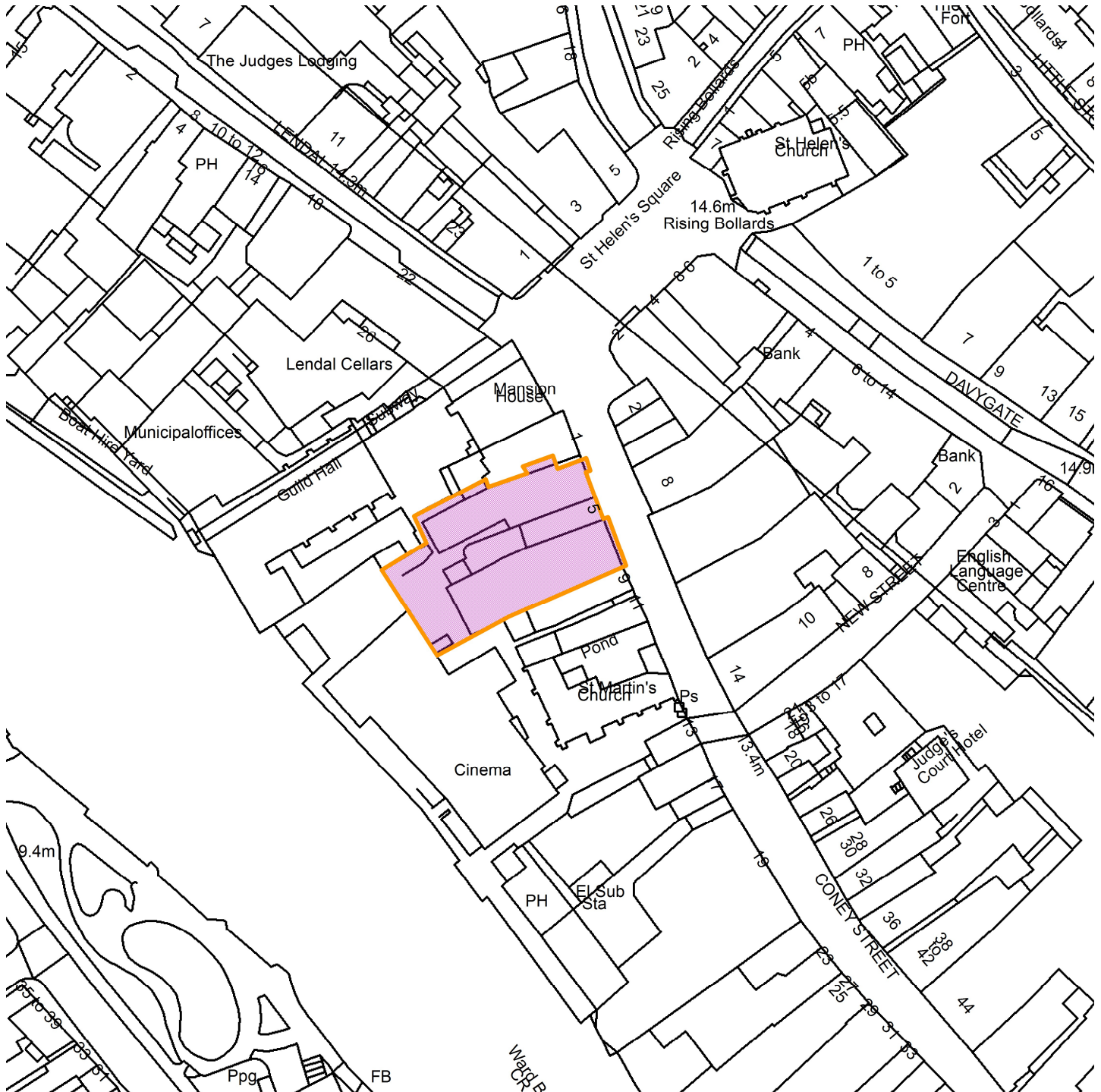
Case Officer: David Johnson

Tel No: 01904 551665

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3 - 7 Coney Street, York

23/00421/LBC



Scale : 1:1195

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Organisation	City of York Council
Department	Env, Transport & Planning
Comments	Site Location Plan
Date	18 November 2024
SLA Number	Not Set

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COMMITTEE REPORT

Date: 28 November 2024 **Ward:** Rural West York
Team: West Area **Parish:** Upper Poppleton Parish Council

Reference: 23/01704/FUL
Application at: Model Farm House The Green Upper Poppleton York YO26 6DP
For: Construction of 1no. dwelling on land to the rear of Model Farm following demolition of Nissen huts and barn with associated access, landscaping and parking and restoration of existing pole barn.
By: Mr Robin Garland
Application Type: Full Application
Target Date: 2 December 2024
Recommendation: Approve

1.0 PROPOSALThe Site

1.1 The application site is Model Farm, located on Hodgson Lane within the Upper Poppleton Conservation Area. The site is a former agricultural holding and working farm. The Farmhouse and former barn buildings date from mid-eighteenth century, with nineteenth century extensions and twentieth century alterations which form a complex of Grade II listed buildings enclosing by a central courtyard. These associated buildings to the Farmhouse have been converted into residential use (c2018). Beyond these buildings is a croft field which is associated with Model Farm. The croft field is an unused area of grassed land and hosts a small hay barn and two dilapidated Nissen huts.

1.2 The site is within Flood Zone 1 (low flood risk).

The Proposal

1.3 This application seeks planning permission for the construction of 1no. detached single storey three-bedroom dwelling adjacent to the croft field following the demolition of the existing Nissen huts. The proposal includes a vehicle access to the property, private garden, and restoration of the existing small hay barn for car and cycle parking. An existing large pole barn within the curtilage of the courtyard will be restored and repaired where necessary with corrugated steel sheeting.

1.4 The application has been revised from the original proposal which sought planning permission to demolish the current buildings for the construction of 2no.

dwelling with separate areas for car parking and cycle storage. The revisions received for 1 no. dwelling addresses matters of noted harm on grounds of the impact to listed buildings, setting of the Conservation Area and neighbour amenity.

Planning History

1.5 In terms of planning history, there has been several submissions for Listed Building Consent and Planning Permissions in relation to the Model Farmhouse and renovations of the former listed buildings to the front section of the site complex. The most relevant planning history relevant to this application is an application which was withdrawn for the construction of 5no. dwellings on the croft field after demolition of existing corrugated barns and Nissan huts (ref: 22/1467/FUL). The application was withdrawn on grounds of the harm to listed buildings, character and appearance of the Conservation Area and residential amenity.

Ward Councillor call-in

1.6 Councillor Anne Hook has requested the application be determined by the Planning Committee in the event of Officer recommendation to approve the application. The grounds for the call-in are based upon the potential impact on heritage Assets (listed Model Farm and impact on the Conservation Area). Also concerns regarding car parking and cycle parking provisions, together with access and highway and pedestrian safety. Additional concerns are to the impact upon the pre-school nursery located within the adjacent (next door) Methodist Church on grounds of outlook and privacy.

2.0 POLICY CONTEXT

Legislative Background

2.1 The host building, Model Farm and associated buildings are grade II listed. 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 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.

2.2 The site is within the Upper Poppleton Conservation Area. The Local Planning Authority 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.

2.3 Section 38(6) of the Planning and Compensation Act 2004 requires that determinations be made in accordance with the development plan unless material considerations indicate otherwise.

Planning Policy

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The Upper/Nether Poppleton Development Plan 2017 (PNP)

2.4 The Development Plan for the site is the Upper Poppleton and Nether Poppleton Neighbourhood Plan which came into force 19 July 2017. Policy PNP 4 (Village Design Statement) states that proposals for development within the villages of Upper Poppleton and Nether Poppleton will be supported where they bring forward high quality design appropriate to their character and appearance. The design statement has clear guidelines on development of buildings within Poppleton requires that new development should be mixed with a variety of design, type, size, scale, and materials to uphold the present juxtaposition of differing periods of development within the village. Also, the size, scale, and massing of buildings should harmonise with neighbouring properties and spaces. Also, that matching materials should be used wherever possible to blend in with existing buildings. All new developments within the settlement limits of the villages should respect the Design Guidelines.

The National Planning Policy Framework (NPPF) December 2023

2.5 The NPPF and its planning policies are material considerations when determining planning applications. In Chapter 2 (Achieving Sustainable Development), paragraph 8 identifies that there are 3 objectives to achieving sustainable development – economic, social, and environmental.

2.6 In paragraph 139 of Section 12 (Achieving well-designed places), the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, considering any local design guidance and supplementary planning documents such as design guides and codes. Significant weight should be given to development which reflects local design policies and government guidance on design, considering any local design guidance and supplementary planning documents such as design guides and codes; and/or outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

2.7 NPPF, Chapter 16 Conserving and enhancing the historic environment: paragraph 201 states that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. Paragraph 203 a) states that when determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of a heritage asset and putting them to viable uses consistent with their conservation.

2.8 NPPF, Chapter 16, 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

2.9 NPPF, Chapter 16, paragraph 207 states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

2.10 NPPF, Chapter 16, 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.

Draft Local Plan 2018

2.11 The Draft Local Plan 2018 was submitted for examination on 25 May 2018. The plan has been subject to examination. Proposed modifications regarding Policy H5 (Gypsies and Travellers) have recently been subject to consultation. The Draft Plan policies can be afforded weight in accordance with paragraph 48 of the NPPF.

2.12 Policy D4: Conservation Areas states that development proposals within or affecting the setting of a conservation area will be supported where they; (i) are designed to preserve or enhance the special character and appearance of the conservation area and would enhance and better reveal its significance; (ii) respect important views; and (iii) are accompanied by an appropriate evidence based assessment of the conservation area's special qualities, proportionate to the size and impact of the development and sufficient to ensure that impacts of the proposals are clearly understood.

2.13 Policy D1(Placemaking) seeks to improve poor existing urban and natural environments, enhance York's special qualities, better reveal the historic environment, and protect the amenity of neighbouring residents. Development proposals that fail to make a positive contribution to the city or cause damage to the character and quality of an area, or the amenity of neighbours will be refused.

3.0 CONSULTATIONS

EXTERNAL

Upper Poppleton Parish Council.

3.1 The Parish have written in objection of the proposals for the following reasons:

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- The development will detract from the Poppleton VDS and Neighbourhood Plans, in terms of heritage protection and open green spaces.
- The proposed and existing residential development has increased in traffic with access to private drive and over common land.
- The City Council rule is no more than 5no. dwellings on private driveways. The Parish understands there are currently 4no. dwellings at Model Farm

Ainsty Internal Drainage Board (IDB)

3.2 The Board requires further details of a satisfactory drainage scheme for separate foul and surface water and obtain any necessary consent from the Board before any commencement of development.

Yorkshire Water

3.3 No objections subject to suitable conditions for separate foul and surface water drainage scheme.

Conservation Area Advisory Panel

3.4 The Panel have no objections in principle. There are concerns over the design elements of the buildings. The Panel note that theoretically buildings will not be visible from outside of the site or within the listed setting and conservation area.

York Civic Trust

3.5 The Trust support the principle of the development. The Trust acknowledge the land is not in the green belt and current structures are aesthetically intrusive and of low heritage value. The Trust have previously raised some concern to the limited garden, amenity spaces and parking which have been addressed with revised drawings.

INTERNAL

Design and Conservation (Conservation Officer)

3.6 The Conservation Officer considers that there is an improvement over the last scheme due to the change in respect of the replacement hay barn building, however, there would be remaining detrimental impacts from the further domestication of the former farmstead due to the creation of the single dwelling. This would result in a moderate level of harm to the significance of the historic farmstead, which incorporates listed buildings (due to impact on setting) and to the conservation area (due to impact on character and appearance), both falling within the less than substantial category.

Design and Conservation (Landscape Architect)

3.7 The Landscape Architect has acknowledged two notable trees that could be affected by the proposed development - one Apple tree (T1 in the tree survey) and a mature Horse chestnut (T2) located close to the site boundary within the garden of the adjacent property, Green View. Both trees are located within Upper Poppleton conservation area. The proposed dwelling's main reception rooms are oriented towards an open aspect to the west and the front of the property and therefore there is no significant conflict with the Horse chestnut. The proposal does introduce a hard surface which should be of a porous, 'no-dig' construction, which appears to be feasible. A pre-commencement condition for a fully worked up AMS method statement is recommended in the event of planning permission being granted.

Design and Conservation (Ecology)

3.8 The Ecology Officer has confirmed based on the information supplied no objections subject to planning conditions for provision of biodiversity enhancements. Request an informative for the consideration of lighting and wildlife, and nesting birds.

Highway Network Management

3.9 Officers have advanced requests for further information on the matters of access and parking to the original submission. No further comments have been received following the submission of revised drawings.

Public Protection Unit

3.10 Public Protection Officer has confirmed no objections subject to relevant conditions to be submitted for approval Reporting of Unexpected Contamination and Provision for Electric Vehicle Recharge Points and an informative to regarding the Control of Pollution Act during construction.

Flood Risk Management

3.11 No objections to the proposed drainage for foul and surface water. However the drainage surface water soakaway calculations requires updating to include the proposed 300m² of hard paving/roof area being considered now.

4.0 REPRESENTATIONS

Neighbour Notification and Publicity

4.1 There was a total of 43no. letters of objection, 7no. letters of support and 1no. general comment to the original submission for the construction of two dwellings and restoration of large pole barn.

4.2 There was a total of 13no. letters of objection to the first submission of revised plans for 1no. dwelling with car port and first floor office space and restoration of large pole barn.

4.3 There is a total of 10no. letters of objection and 1no. letter of support to this current application for determination by Committee B for one dwelling with restoration of small pole barn and restoration of large pole barn – comments as follows:

- Impact on Model Farm, historic references, and listed buildings
- Impact on Conservation Area and recognised St Andrews Church, adverse effect on the village green
- Non-compliance with VDS and Neighbourhood Plan
- Unsympathetic, obtrusive in scale and mass
- Cramped and incongruous
- Excessive and unsustainable car parking provision
- Domestication of green spaces
- Urbanisation of village green and failure to maintain the historic character of the conservation village
- Over development of site, non-compliance with approved planning permissions
- Erode the landscape qualities of the croft field
- Impact on ecology
- Impact on trees
- Inaccurate redline boundary illustrating ownership of the access from Hodgson Lane.
- Impact on highway safety
- Concerns over loss of privacy/overlooking and loss of outlook into the adjacent garden areas
- Inaccuracy of red line boundary the development site which includes land in owner ship of the adjacent garden areas
- Consider the AMS statement is inaccurate and fails to display the proximity and protection of the Horse Chestnut Tree which is sited on the joint boundary in proximity to the restoration of the pole barn for car and cycle parking

4.4 There is 1no. letter of support comments as follows:

- The current huts are beyond repair and need for urgent demolition before serious injury
- The development is behind other development and virtually out of sight to the green
- Does not interfere with neighbour amenity
- Adequate parking and no hinderance to general public

Poppleton Neighbourhood Plan Committee

4.5 Objection to the application on the following grounds:

- The proposed new building would create an alien environment to the use of the historic site and erode the special landscape, views and already renovated Nationally Listed Grade II buildings. This would create substantial harm to the listed properties.
- Non-compliance with Neighbourhood Plan policies and no public benefits to support the application
- The proposed new building is over-sized in relation to the surrounding buildings. (larger than the adjacent Methodist Church Hall which is for community use)
- The cumulative impact of additional development on the former farmstead, which has already seen the conversion of the traditional farm buildings with associated changes to the landscaping, would not be acceptable. This would change the open access to the green space already in the Local Plan.
- The change of use of the land will restrict possible use of the field and all areas beyond the already converted agricultural buildings for the purpose of small-scale agriculture.
- The visual intrusion on the neighbouring garden of the Methodist Church, a community area for children, adults and church functions
- Increased traffic due to the increased occupancy of the farm development, these proposals allow for further car parking spaces and therefore related traffic movements, which is not acceptable.
- Revised plans continue to include land in residents' ownership mainly trees and hedgerows
- Repairs to the pole barns would only be acceptable if this was a permanent decision condition by planning department

5.0 APPRAISAL

5.1 Key Issues

- Principle of Development
- Low Carbon and Sustainable Construction
- Design and Impact on Character and Appearance of the Conservation Area and the setting of listed buildings
- Neighbour Amenity
- Impact on Trees
- Access and Parking

- Flood Risk and Drainage
- Biodiversity
- Land Contamination

Principle of Development

5.2 Neighbourhood Plan policy PNP 6a (Housing) sets out policies for replacement and new dwellings within the curtilage of a domestic dwelling. The policy states that development will be supported where the proposals are in keeping with the character of surrounding development, safeguard residential amenity, are designed to provide appropriate garden amenity and appropriate levels of car parking and access to CYC parking standards. PNP2 states that the green infrastructure within and surrounding Upper Poppleton and Nether Poppleton as shown on the Policies Map will be safeguarded. Proposals for their enhancement will be supported. Development that would harm the integrity or appearance of the green infrastructure will not be supported.

5.3 The proposal is a single storey 3no. bedroom dwelling where the farmstead adjoins agricultural land. The design of the dwelling works with the scale and massing of the existing dilapidated Nissen huts and maintains a low height building. A new part-paved and grassed garden will be laid out around the dwelling, with access and provisions for car and cycle parking and storage within a converted hay barn. Overall, the proposal would provide acceptable accommodation for future occupants and would represent an appropriate use of the land subject to any other planning considerations meeting, in principle, the requirements of policy PNP6 of the Neighbourhood Plan. The development is not within land designated as Green Infrastructure in the Neighbourhood Plan.

5.4 In addition, the proposal is within a sustainable location, with access to a range of facilities available to the community and access to local primary and secondary schools. The village also has cycle paths, public transport and rail links into the city and other neighbouring towns.

Low Carbon Design and Construction

5.5 Policy PNP 11 of the Neighbourhood Plan states that new developments that exceed the building regulations regarding energy conservation and use renewable energy technology will be particularly supported. Additionally, the environmental objectives of the NPPF and in accordance with Draft Policy CC2 of the Draft Local Plan 2018 seeks that where viable any new dwelling shall achieve a reduction in carbon emissions of up to 75% compared to the target emission rate as required under Part L of the Building Regulations 2013.

5.6 The application proposes energy efficiency measures through heat pumps in conjunction with an airtight, well-insulated building structure and high-performance glazing. For greater water efficiency, greywater will be reclaimed for use in toilet flushing and rainwater harvested for garden, lawn and living wall maintenance.

These objectives required will be secured through a planning condition on any future planning permission.

Design and Impact on Character and Appearance of the Conservation Area and the setting of listed buildings

5.7 The Neighbourhood Plan policy PNP3 states that all development should protect the open character and heritage assets of the village. Policy PNP 4 (Village Design Statement) states that proposals for development within the villages of Upper Poppleton and Nether Poppleton will be supported where they bring forward high quality design appropriate to their character and appearance. All new developments within the settlement limits of the villages should respect the Design Guidelines.

5.8 The Upper Poppleton Conservation Area character assessment states that the main elements of its character and appearance is an essentially rural village with a village green. The rural setting of the long medieval narrow plots to the south-east and north-west of the village core were included in the Upper Poppleton Conservation Area when the boundary was extended in December 2004. The houses are described as being attractive groups of vernacular buildings, which creates a cohesive overall character. Additionally, the quality of the village green, with its individual triangular shape and the subsidiary greens leading from it is a valuable focal point in an area that has undergone extensive suburban expansion.

5.9 The current proposal envisages a single storey detached dwelling. This will involve an arrangement of 2no. buildings similar to the form the existing Nissen huts of approximately 4.2 metres in height linked together with a flat green roof system construction of approximately 3.7 metres in height. The external appearance will include the use of corrugated steel roof covering, restoration of the small pole barn and York stone pavement surfacing material. The proposed dwelling would share a vehicle access from Hodgson Lane with the listed buildings within the Model Farm complex.

5.10 The site is beyond the brick farm buildings where 20th century buildings are present in the form of the Nissen huts, hay barn and a pole barn. Beyond this is the remaining croft field, which is valuable as a surviving remnant of the farmed landscape within the core of the village. The siting of the new dwelling would aesthetically and functionally introduce a domestic character with features that would inevitably accompany new housing eroding the spatial rural quality of the landscape setting of the Conservation Area. The legibility of the croft field is significant to the conservation area, being one of several medieval plots to the south-east and north-west that defines the landscape and setting of the rural character of the village.

5.11 In the context of the village setting the proposed development would be considered to cause harm to the character and appearance of the conservation area. The level of harm is considered to be moderate and less than substantial harm

in account of the recognised importance of the medieval croft field, its association with listed buildings of which would detract from the rural landscape character and appearance of the Conservation Area village setting. In mitigation of its impact the design of the building is innovative in design, mimicking the appearance of the Nissen huts and presenting a low profile building retaining the character of agricultural buildings. Views of the new dwelling from public land would be limited.

5.12 In terms of the impact on the listed buildings within the Model Farm complex, the submitted plans demonstrate a relatively low height dwelling and design influence of the current buildings in place and set back behind the large pole and at a distance from listed buildings fronting the site. Overall, the siting and appearance of the dwelling would have its own identity and be generally detached from the listed buildings. Also, it is intended that the small pole barn would be re-purposed and roofed for use as a car parking/cycle store, which is acceptable in principle and an appropriate way of retaining a building of age within the site. However, the proposal through domestication of the croft field, together with the additional hardstanding for vehicle access would lead to development that would undermine the rural landscape of the former farmstead and compromise the semi-open rural setting of listed buildings.

5.13 In conclusion, the proposal due its setting which has listed buildings would lead to harm of the historic farmstead through domestication of the croft field. The harm is considered as less than substantial harm at a moderate level of harm due to the scale and massing being in keeping with existing buildings and its design influence would retain the character of agricultural buildings.

5.14 In terms of adjacent buildings, Model Farm is next to Green View, a Grade II listed dwelling to the southeast and adjacent is All Saints Church and grounds, a grade II listed building. It is noted that by virtue of the low height and design of the new dwelling, together with the separation distances there would be no undue harm to the setting of these listed buildings.

5.15 The large pole barn is a post mounted frame vertical structure with wide horizontal roof angled roof scape centred within the listed complex. The restoration process will involve replacement aged rust effect corrugated metal sheeting to be fixed to areas of visible corrosion. The roof scape of the pole barn is visible from the village street at viewpoints between All Saints Church, and the residential dwelling Field View, together with some minor views from Hodgson Lane. The prospect of restoring the pole barn is acceptable in principle, subject to further material details secured through material pre-commencement condition and overall would preserve the character and appearance of the Conservation Area.

5.16 In terms of the harm acknowledged, planning legislation and policy contained in paragraph 208 of the NPPF is relevant when considering a development of less than substantial harm to heritage assets. 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. In consideration of public benefits, the proposed development would make a small contribution to the housing supply providing a dwelling in a sustainable location and would result in the restoration of the pole barns to the benefit of the agricultural character of the Conservation Area. As such subject to planning conditions the public benefits to this scheme would outweigh the less than substantial harm to the setting of listed buildings and character and appearance of the Upper Poppleton Conservation Area.

Impact on Neighbour Amenity

5.17 Policy PNP6a of the Neighbourhood Plan set out policies to safeguard the amenities of existing residential properties. Also, the NPPF states in Paragraph 135(f) states that developments should create places with a high standard of amenity for existing and future users. The policy advises that decisions should avoid noise from giving rise to significant adverse impacts on health and quality of life because of new development. Policy D1 of the Draft Local Plan states that development proposals will be supported where they demonstrate that the combined effect of new development does not dominate other buildings and spaces paying particular attention to adjacent buildings.

5.18 The Model Farm complex has 3no. dwellings and one residential annex which is a dwelling in association with the former Farmhouse. In the setting of the overall complex of building the proposal would create a total of 4no. dwellings on this site. The converted two storey former granary buildings are tall structures with upper floor window arrangements which generally overlook the garden of Model Farmhouse. The proposed dwelling will be sited some 30 metres from the existing residential part of the farm directly to the rear of the farmhouse. The angle of the proposed dwelling and proximity of existing buildings would not directly face on to the existing residential buildings, thus existing outside areas would not be compromised. Thus, overall is unlikely to have a negative impact on existing available outlook for the occupants.

5.19 In consideration of the adjacent neighbours at Green View (to the south of site). This dwelling is similar in design and scale to Model Farmhouse and has a large rear garden which sits parallel to the former agricultural land and location of the proposed development. The rear aspect of this property has been subject to rear extensions which are juxtaposed to the farmhouse and converted buildings. In this context the later extensions generally form some boundary enclosure between the sites. Moreover, the siting of the proposed dwelling is some distance from the direct outside habitable garden serving this dwelling. While some minor overlooking could occur, it will be quite oblique through the tree lined boundary treatment and only to the rear section of the garden.

5.20 The new dwelling would share a boundary with the pre-school Nursery which is an extended section of the Methodist Church and has gardens / play areas which run parallel to the siting of the new dwelling. The boundary wall which separates the pre-school Nursery is of a modest height, and the new dwelling would be visible when viewed from the garden and play area. The submitted drawings illustrates a new 2.0m high close-boarded timber fence which is sufficient to screen windows serving the bedroom and living room area and garden areas.

5.21 Overall, the siting, scale and mass of the proposal is unlikely to detract from direct neighbour amenity or introduce a poor residential environment for both the current and future occupants of the site. To safeguard neighbours from any future development it is considered appropriate to remove permitted development rights contained in Class A, Class AA (extensions and alterations) and Class E (detached building) of the General Permitted Development Order 2015 (as amended). Also, permitted development rights can be removed for the insertion of any new windows to the building to retain privacy for neighbours and the pre-school nursery.

Impact on Trees

5.22 Policy GI4 of the Draft Local Plan 2018 requires that development provides protection for overall tree cover as well as for existing trees worthy of retention in the immediate and longer term, and with conditions that would sustain the trees in good health to maturity.

5.23 A landscape design has been prepared with the intention of retaining and enhancing the agricultural character while bringing together a high-quality design to the development. The report considers the scheme maintains the limited palette of hard landscape materials and peripheral vegetation present on Model Farm, namely the drove grey gravel, Indian sandstone, and York stone pavers to reflect the evolution of a typical farmyard and is softened by an embedded reinforced grass strip, reflecting a typical agricultural track. In addition, the proposals will include a natural interface between soft and hard landscape and pollinator-friendly planting, adding biodiversity along the courtyard walls, complementing the proposed house's green roof native wildflower and grass seed mix.

5.24 The Landscape Architect has acknowledged two significant trees that could be affected by the proposed development. An Apple tree and a mature Horse chestnut located close to the site boundary, within the garden of the adjacent property – Green View. Neither of the trees are currently subject to a tree preservation order (TPO), although they are both located within Upper Poppleton conservation area and as such contributes to its character and appearance. The protection of the existing trees within the site and adjacent to the site can be secured through a pre commencement condition for a complete and detailed Arboricultural Method Statement in the event of planning permission being granted.

Access and Parking

5.25 The NPPF focuses development in sustainable and accessible locations allowing opportunities to promote sustainable transport modes. Paragraph 115, states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. This is reiterated in the Draft Local Plan Policy T1: Sustainable Access, which supports development that minimises the need to travel and maximises the use of more sustainable modes of transport.

5.26 The vehicle entry to the site is accessed by a driveway which connects to the highway at Hodgson Lane. The access is quite wide and includes a crossover from the highway. There have been concerns raised to the ownership of this access being Parish Council land. However, these issues are civil matters and not material planning considerations. Also, there is a narrow pedestrian pavement which is alongside the property frontage of this part of the Village Green which provides entry into the site. The proposal will result in additional vehicular comings and goings into the site through one access point. However, this is not likely to result in harm to highway safety or severe impacts on the road network.

5.26 The restoration of the small pole hay barn will accommodate space for 2no cars, cycles and bin storage which is considered acceptable for a three-bedroom property.

Flood Risk and Drainage

5.27 Chapter 14 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk but, where development is necessary, making it safe without increasing flood risk elsewhere (Paragraphs 165 and 173). Policy ENV5 of the 2018 Draft Local Plan sets sustainable drainage requirements. In terms of surface water run-off, it requires the following, unless it is agreed such rates are not reasonably practical –

- Previously developed sites – 70% of existing run-off rates.
- New development on greenfield sites – run off rate shall be no higher than the existing rate prior to development taking place.

5.28 The site is in low-risk flood zone 1 and should not suffer from river flooding. The Site Plan shows foul water being connected to the existing foul water connection that serves the site which in turn connects to the public foul water sewer which is acceptable. The surface water is shown to connect to an existing soakaway. The principle of this arrangement would be acceptable; the details can be secured by condition.

Biodiversity Enhancements

5.29 Paragraph 180d of the NPPF requires planning decisions to contribute to and enhance the natural and local environment by, inter alia, minimising impacts on and providing net gains for biodiversity. The NPPF advises that if significant harm to biodiversity from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Draft Local Plan policies reflect this advice in relation to trees, protected species, and habitats.

5.30 The Application is accompanied by an updated Ecology Assessment including a Bat Survey and Tree Survey/Arboricultural Implications Assessment. It confirms the development will not impact the statutory and non-statutory designated nature conservation sites within the local area. This is in consideration of the five identified non-statutory sites within 2km of the Site.

5.31 In addition, a Bat Survey has been undertaken identifies evidence of bat activity within one of the Nissen huts and the pole barn and is concluded to be from foraging behaviour as opposed to roosting activity. A bat box within proximity to the site was also surveyed, the findings of which indicated that the bat box was used by low numbers of bats on an occasional basis. This box is to be retained as part of the development. In the context of other species habitats, the findings from the assessment were that no direct evidence of nesting of any local species were found amongst the site. The trees within and edging the site are considered suitable for foraging and nesting birds. The Arboricultural Implications Assessment confirms that no trees are required for removal to facilitate the development proposals. Some pruning will be required to facilitate the demolition of the existing Hay Barn and no dig construction of some of the proposed parking areas will be required where there is minor encroachment into the root protection areas.

5.32 A condition is recommended for biodiversity enhancement net gain.

Land Contamination

5.33 Policy ENV2: “Managing Environmental Quality” of the Publication Draft Local Plan states that development will not be permitted where future occupiers and existing communities would be subject to significant adverse environmental impacts such as noise, vibration, odour, fumes/emissions, dust, and light pollution without effective mitigation measures.

5.34 This site is located on land previously used for commercial agricultural purposes. In line with paragraph 189 of the NPPF, Public Protection Officers recommend conditions for a site investigation and risk assessment to be undertaken to ensure site is suitable for development taking account of ground conditions and any risk of land contamination.

6.0 CONCLUSION

6.1 The application is in a sustainable and accessible location and in a predominantly residential area. The development is judged to lead to less than

substantial harm to the character and appearance of the Conservation Area and the setting of listed buildings in accordance with paragraph 208 of the NPPF, however this harm is considered to be outweighed by public benefits for its contribution to the housing supply in a sustainable location. In addition, the proposal is compatible in its relationship to neighbouring properties in so far that it would not appear overly intrusive and acceptable levels of outlook and privacy will be retained.

6.2 The proposal, therefore subject to conditions is considered to comply to sections 66 (1) and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, polices PNP4 and PNP6a of the Upper Poppleton and Nether Poppleton Neighbourhood Plan, the provisions of the National Planning Policy Framework and Policies D4 and D1 of the 2018 Draft Local Plan.

7.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

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

Proposed Site plan (drawing number 1067.105 revision B); Proposed Floor plan (drawing number 1067.P110 revision A); Proposed Elevation plan 1 of 2 (drawing number 1067.P120 revision A); Proposed Elevation plan 2 of 2 (drawing number 1067.P121 revision A); Existing and Proposed Massing plan 1 of 2 (drawing number 1067.P130 revision A); Existing and Proposed Massing plan 2 of 2 (drawing number 1067.P131 revision A); Existing and Proposed hay Pole Barn (drawing number 1067.P410) dated June 2024; Pole Barn Schedule of Repairs REF: 1067 dated June 2024

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

3 Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, samples of the external materials, including the restoration of the large and small pole barn 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: Due to 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: So as to achieve a visually cohesive appearance.

Application Reference Number: 23/01704/FUL

Item No: 5c

- 4 LC1 Land contamination - Site investigation
- 5 LC2 Land contamination - remediation scheme
- 6 LC3 Land contamination - remedial works
- 7 LC4 Land contamination - unexpected contamination

8 No development shall commence until a scheme for the provision of surface and foul water drainage works has been submitted to and approved in writing by the Local Planning Authority. The agreed drainage works shall thereafter be in place prior to occupation of the dwelling.

Reason: To ensure the development is provided with satisfactory means of drainage and to reduce the risk of flooding. This condition is required to be prior to commencement of development in order to ensure that adequate drainage provision is in place to serve the development so that there is no increase of flood risk on site or elsewhere within the site as a result of the works carried out at the site.

NOTE: The following criteria should be considered:

- Any proposal to discharge surface water to a watercourse from the redevelopment of a brownfield site should first establish the extent of any existing discharge to that watercourse.
- Discharge from "greenfield sites" taken as 1.4 lit/sec/ha (1:1yr storm).
- Storage volume should accommodate a 1:30 yr event with no surface flooding and no overland discharge off the site in a 1:100yr event.
- A 20% allowance for climate change should be included in all calculations.
- A range of durations should be used to establish the worst-case scenario.
- The suitability of soakaways, as a means of surface water disposal, should be ascertained in accordance with BRE Digest 365 or other approved methodology to the satisfaction of the Local Planning Authority.
- If the soakaway is proved to be unsuitable then peak run-off must be attenuated to 75% of the existing rate (based on 140 l/s/ha of connected impermeable area).

9 Before the commencement of development, a complete and detailed Arboricultural Method Statement (AMS) for existing trees within and adjacent to the application site shown to be retained on the approved drawings, shall be submitted to and approved in writing by the Local Planning Authority in accordance with the recommendations in the submitted arboricultural impact assessment. Amongst other information, this statement shall include a schedule of tree works if applicable; details and locations of protective fencing; phasing of protection measures; ground protection; site rules and prohibitions; location of site compound, parking arrangements for site vehicles, locations for stored materials, and locations and means of installing utilities; and specialist construction techniques where a change

in surface material and/or boundary treatment is proposed within the root protection area of existing trees. The content of the approved AMS shall be strictly adhered to throughout development operations. A copy of the AMS will be available for reference and inspection on site at all times.

Reason: To ensure every effort and reasonable duty of care is exercised during the development process for protecting the existing trees shown to be retained which are considered to make a significant contribution to the amenity and setting of the development and the conservation area.

10 The dwelling(s) hereby permitted shall achieve a reduction in carbon emissions of at least 75% compared to the target emission rate as required under Part L of the Building Regulations 2013 and a water consumption rate of 110 litres per person per day (calculated as per Part G of the Building Regulations).

Should the dwelling(s) not achieve a reduction in carbon emissions of 75%, compared to the target emission rate as required under Part L of the Building Regulations 2013, prior to construction a statement to demonstrate that such reductions would not be feasible or viable shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To fulfil the environmental objectives of the NPPF and support the transition to a low carbon future, and in accordance with policy CC2 of the Draft Local Plan 2018.

11 Prior to commencement of development a specification of biodiversity enhancements on the site; for example bird and bat boxes shall be submitted to and approved in writing by the Local Planning Authority. The approved biodiversity enhancements shall thereafter be implemented on the site prior to the occupation of the development hereby approved.

Reason: To take account of and enhance the biodiversity and wildlife interest of the area, and to be in accordance with Paragraphs 185-188 of the NPPF (2023) to contribute to and enhance the natural and local environment by minimising impacts on, and providing net gains for biodiversity, including establishing coherent ecological networks that are more resilient to current and future pressures.

12 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order), development of the type described in Classes A, AA and E of Schedule 2 Part 1 of that Order shall not be erected or constructed.

Reason: In the interests of the neighbour amenity and the character and appearance of the conservation area the Local Planning Authority considers that it should exercise control over any future extensions or alterations which, without this

condition, may have been carried out as "permitted development" under the above classes of the Town and Country Planning (General Permitted Development) Order 2015.

13 The proposed new 2.0m high close boarded timber fence between points E-F on approved drawing 1067.P105 Revision B dated 27.06.2024 shall be constructed prior to the first occupation of the dwelling and shall be retained as approved for the lifetime of the approved development.

Reason: In the interests of the amenities of occupants of the adjacent pre-school nursery.

14 The large pole barn shall be repaired in accordance with the Fining Associates Architects Ltd document "Pole Barn Schedule of Repairs at Model Farm, The Green, Upper Poppleton, York, YO26 6DP" dated June 2024 before first occupation of the approved dwelling.

Reason: In the interests of the character and appearance of the conservation area.

15 Prior to the first occupation of the dwelling the initial 10m of the vehicular access, measured from the back of the public highway, shall be surfaced, sealed and positively drained within the site in accordance with the details shown on the approved site plan.

Reason: To prevent the egress of water and loose material onto the public highway and in the interests of the character and appearance of the conservation area.

16 The dwelling shall not be occupied until the areas shown on the approved plans for parking and manoeuvring of vehicles and cycles have been constructed and laid out in accordance with the approved plans, and thereafter such areas shall be retained solely for such purposes.

Reason: In the interests of highway safety and to promote use of cycles thereby reducing congestion on the adjacent roads and in the interests of the amenity of neighbours.

8.0 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 (paragraph 38) in seeking solutions to problems identified during the processing of the application.

The Local Planning Authority established harm to heritage assists which could not be addressed through the submission of revised plans provided by the Architect. Therefore, it was concluded a positive outcome could not be achieved

2. INFORMATIVE:

The developer's attention is drawn to the various requirements for the control of noise on construction sites laid down in the Control of Pollution Act 1974. In order to ensure that residents are not adversely affected by air pollution and noise, the following guidance should be adhered to, failure to do so could result in formal action being taken under the Control of Pollution Act 1974:

(a) All demolition and construction works and ancillary operations, including deliveries to and despatch from the site shall be confined to the following hours:

Monday to Friday 08.00 to 18.00

Saturday 09.00 to 13.00

Not at all on Sundays and Bank Holidays.

(b) The work shall be carried out in such a manner so as to comply with the general recommendations of British Standards BS 5228: Part 1: 1997, a code of practice for "Noise and Vibration Control on Construction and Open Sites" and in particular Section 10 of Part 1 of the code entitled "Control of noise and vibration".

(c) All plant and machinery to be operated, sited and maintained in order to minimise disturbance. All items of machinery powered by internal combustion engines must be properly silenced and/or fitted with effective and well-maintained mufflers in accordance with manufacturers instructions.

(d) The best practicable means, as defined by Section 72 of the Control of Pollution Act 1974, shall be employed at all times, in order to minimise noise emissions.

(e) All reasonable measures shall be employed in order to control and minimise dust emissions, including sheeting of vehicles and use of water for dust suppression.

(f) There shall be no bonfires on the site

3. Informative regarding Electric Vehicle (EV) Charge Points

The Government's Electric Vehicle Homecharge Scheme' offers a grant to reduce the cost of installing a home electric vehicle charge point. For more information see the Office for Zero Emission Vehicles' (OZEV) website at:

<https://www.gov.uk/government/collections/government-grants-for-low-emission-vehicles>. All electrical circuits/installations should comply with the electrical requirements in force at the time of installation.

4. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as

amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Buildings, trees and scrub are likely to contain nesting birds between 1st March and 31st August.

Suitable habitat is present on the application site and is to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is certain that nesting birds are not present.

5. When designing external lighting its potential impacts on light sensitive species should be considered. Direct lighting and light spill should be avoided where new roosting and nesting features are installed, on trees and 'green' linear features, such as hedgerows. Advice on lighting design for light sensitive species is available from the Bat Conservation Trust (2018) Bats and artificial lighting in the UK guidance can be found through the link below.

<https://cdn.bats.org.uk/pdf/Resources/ilp-guidance-note-8-bats-and-artificial-lighting-compressed.pdf?mtime=20181113114229&focal=none>

Contact details:

Case Officer: Sharon Jackson

Tel No: 01904 551359

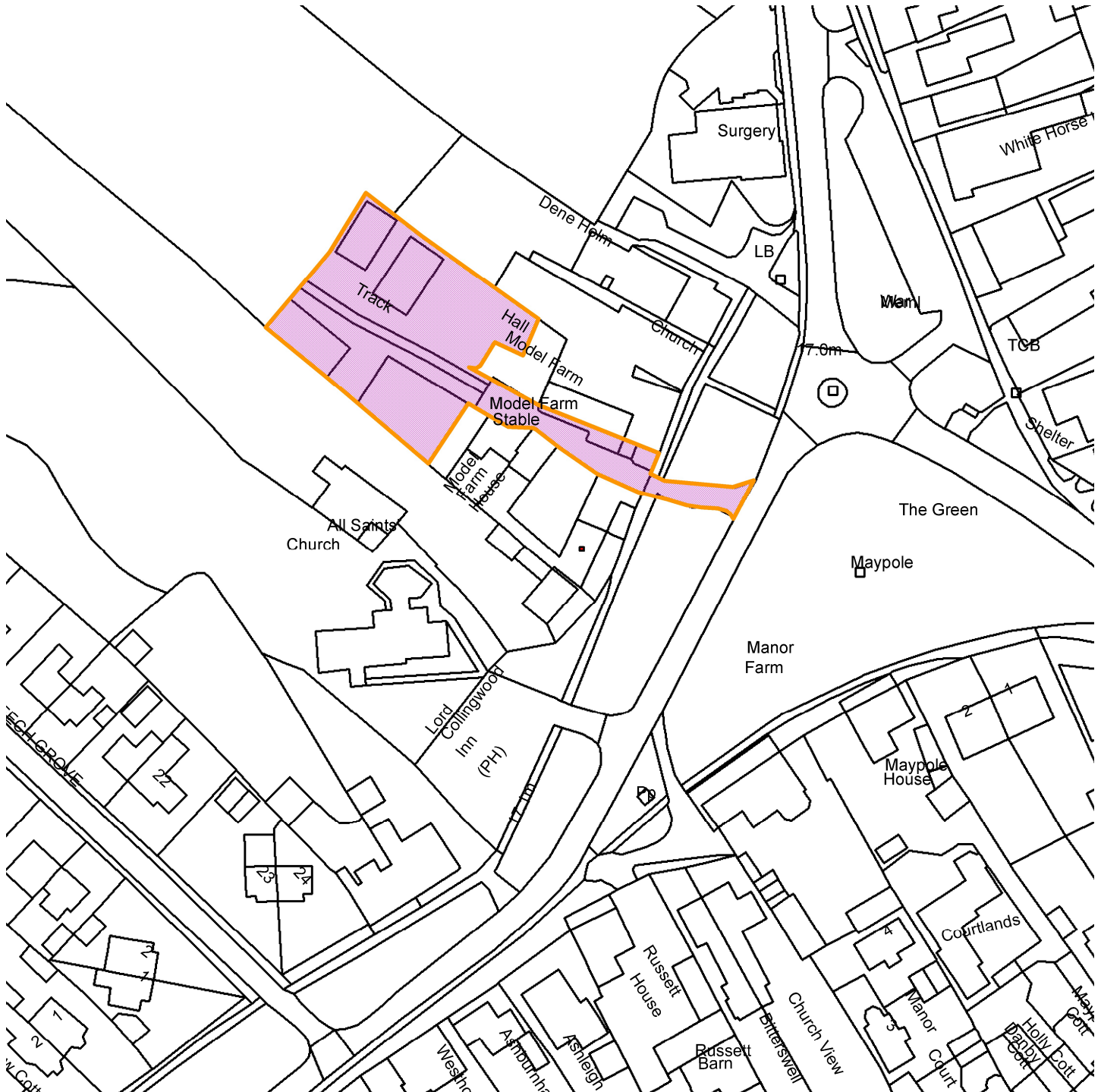
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Model Farm House, The Green, Upper Poppleton

23/1704/FUL



GIS by ESRI (UK)



Scale : 1:1145

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Organisation	City of York Council
Department	Env, Transport & Planning
Comments	Not Set
Date	18 November 2024
SLA Number	Not Set

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Planning Committee B

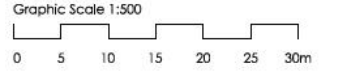
23/01704/FUL

Model Farm House The Green Upper Poppleton

Existing site plan



Notes:
 The contractor is responsible for checking dimensions, any discrepancies to be determined by the architect before proceeding with the works.
 No dimensions to be scaled from drawing, figured dimensions to be worked to in all cases.
 All materials used and work undertaken to be in accordance with relevant British Standard Codes Of Practice and the Building Regulations with subsequent amendments.
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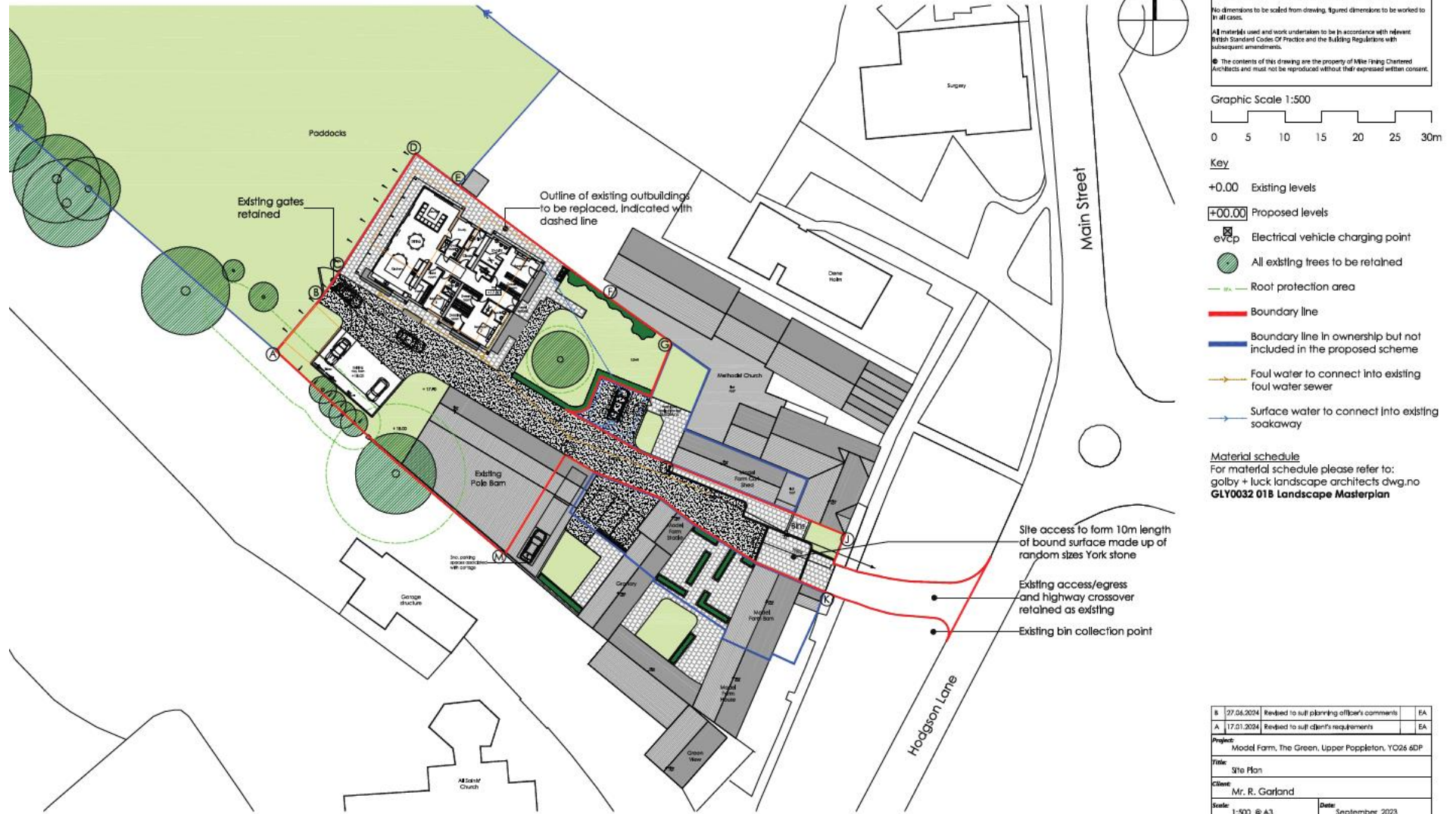
- Key**
- +0.00 Existing levels
 - Existing tree
 - Boundary line
 - Boundary line in ownership but not included in the proposed scheme

Project: Model Farm, The Green, Upper Poppleton, YO24 6DP		
Title: Existing Site Plan		
Client: Mr. R. Garland		
Scale: 1:500 @ A3	Date: September 2023	
Drawn By: EA	Drawing Number: 1067.005	Revision:

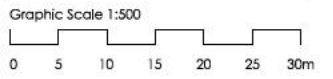
Fining Associates
 Chartered Architects
 "Spanning The Breadth Of Architecture"

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 Millfield Lane
 Nether Poppleton
 York
 YO24 6GA
 T: 01904 786098
 E: project@architectsyork.com
 www.architectsyork.com

Proposed site plan



Notes:
 The contractor is responsible for checking dimensions, any discrepancies to be determined by the architect before proceeding with the works.
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- Key**
- +0.00 Existing levels
 - +00.00 Proposed levels
 - eVCP Electrical vehicle charging point
 - All existing trees to be retained
 - Root protection area
 - Boundary line
 - Boundary line in ownership but not included in the proposed scheme
 - Foul water to connect into existing foul water sewer
 - Surface water to connect into existing soakaway

Material schedule
 For material schedule please refer to:
 golby + luck landscape architects dwg.no
GLY0032 01B Landscape Masterplan

Boundary

- (A)-(B) New 1.1m high 4-bar post & rail fence
- (B)-(C) Existing gate retained
- (C)-(E) New 1.1m high 4-bar post & rail fence
- (E)-(F) New 2.0m high close boarded timber fence, abutting existing neighboring 1.4m high brick boundary wall
- (E)-(F) New 2.0m high close boarded timber fence, abutting existing neighboring 1.4m high brick boundary wall
- (F)-(G) Boundaries remain as existing
- (G)-(H) 1.8m high timber fence
- (I)-(J) 1.8m high brick wall
- (J)-(K) Site entrance details are to be agreed upon on a separate application
- (K)-(A) Boundaries remain as existing

- Site access to form 10m length of bound surface made up of random sizes York stone
- Existing access/egress and highway crossover retained as existing
- Existing bin collection point

16	07.06.2024	Revised to suit planning officer's comments	EA
17	17.01.2024	Revised to suit client's requirements	EA

Project: Model Farm, The Green, Upper Pappleton, YO24 6DP

Title: Site Plan

Client: Mr. R. Garland

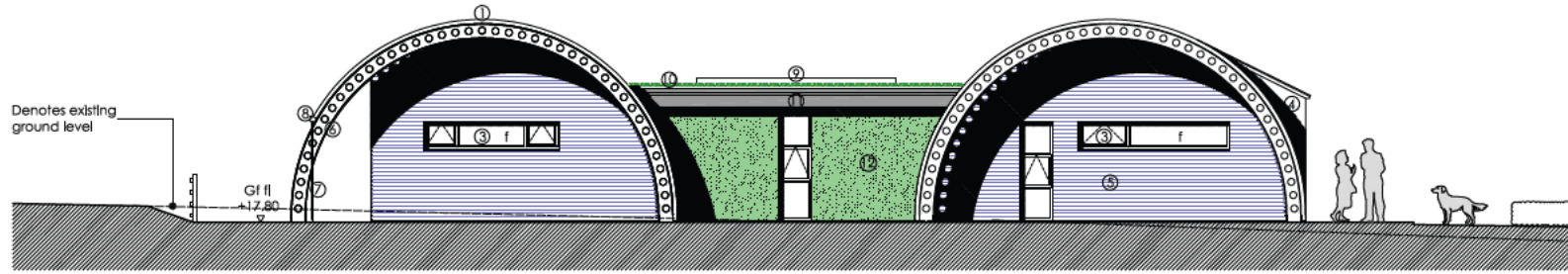
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Drawn By: EA **Drawing Number:** 1067.P105 **Revision:** B

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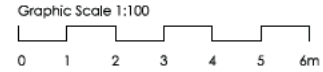
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 www.architectsyork.com

Proposed elevations 1 of 2

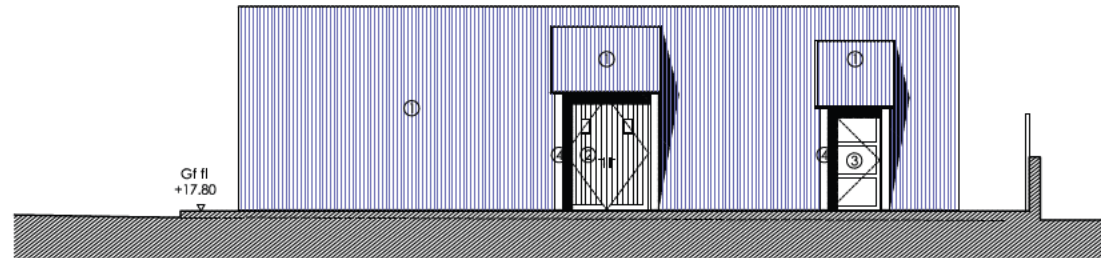


South elevation (side) - Nissen Huts
Scale 1:100 @ A3


The contractor is responsible for checking dimensions, any discrepancies to be determined by the architect before proceeding with the works.
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- Material schedule
- ① Aged Rust Effect corrugated metal roof
 - ② Black stained timber doors
 - ③ Black powder-coated aluminium windows and doors
 - ④ GRANUM skygrey RHEINZINK cladding
 - ⑤ Black stained and treated cedar
 - ⑥ Galvanised steel castellated beam
 - ⑦ Galvanised steel Rain Chain
 - ⑧ Proprietary skygrey RHEINZINK gutter
 - ⑨ Proprietary rooflight
 - ⑩ Green roof system
 - ⑪ Concealed black powder-coated aluminium gutter system
 - ⑫ Living wall system
 - f Fixed glazing

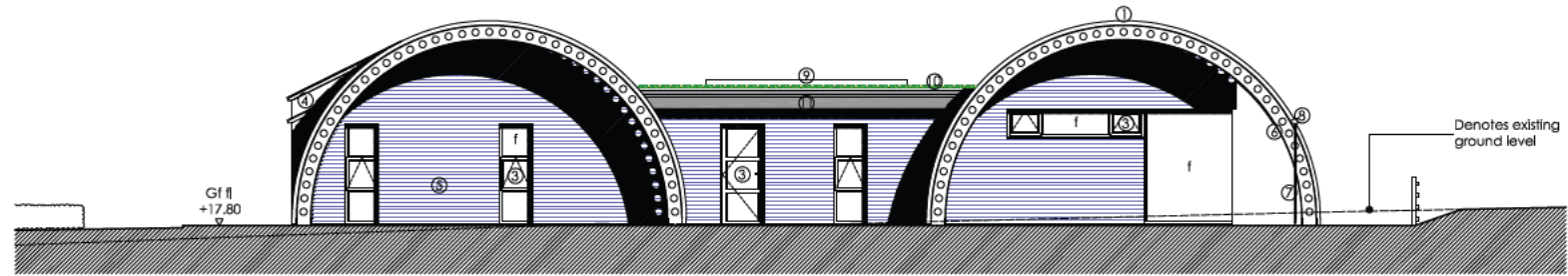


South east elevation (front) - Nissen Huts
Scale 1:100 @ A3

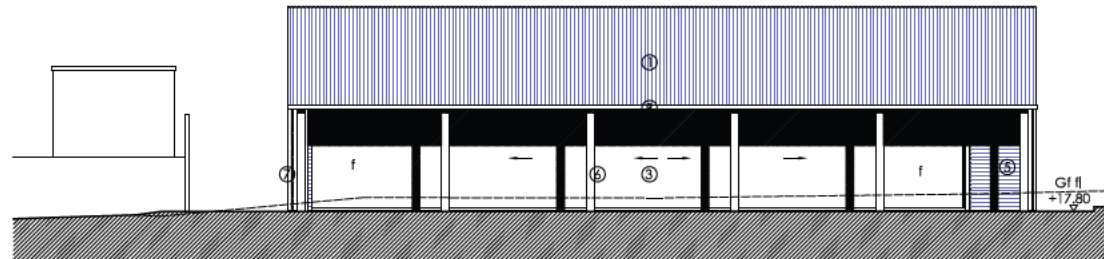
A	27.08.2024	Revised to suit planning officer's comments	EA
Project: Model Farm, The Green, Upper Poppleton, YO24 6DP			
Title: Elevations Sheet 1 of 2 - Nissen Huts			
Client: Mr. R. Garland			
Scale:	1:100 @ A3	Date:	September 2023
Drawn By:	EA	Drawing Number:	1067_P120
Revised:	A		
 Finig Associates Chartered Architects "Spanning The Breadth Of Architecture"			
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Proposed elevations

2 of 2

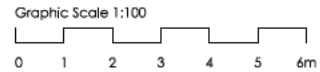


North elevation (side) - Nissen Huts
Scale 1:100 @ A3



West elevation (rear) - Nissen Huts
Scale 1:100 @ A3

Notes:
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- Material schedule**
- ① Aged Rust Effect corrugated metal roof
 - ② Black stained timber doors
 - ③ Black powder-coated aluminum windows and doors
 - ④ GRANUM skygrey RHEINZINK cladding
 - ⑤ Black stained and treated cedar
 - ⑥ Galvanised steel castellated beam
 - ⑦ Galvanised steel Rain Chain
 - ⑧ Proprietary skygrey RHEINZINK gutter
 - ⑨ Proprietary rooflight
 - ⑩ Green roof system
 - ⑪ Concealed black powder-coated aluminum gutter system
 - ⑫ Living wall system
 - f Fixed glazing

A	27.04.2024	Revised to suit planning officer's comments	EA
Project: Model Farm, The Green, Upper Poppleton, YO26 6DP			
Title: Elevations Sheet 2 of 2 - Nissen Huts			
Client: Mr. R. Garland			
Scale: 1:100 @ A3		Date: September 2023	
Drawn By: EA	Drawing Number: 1067_P121	Revision: A	

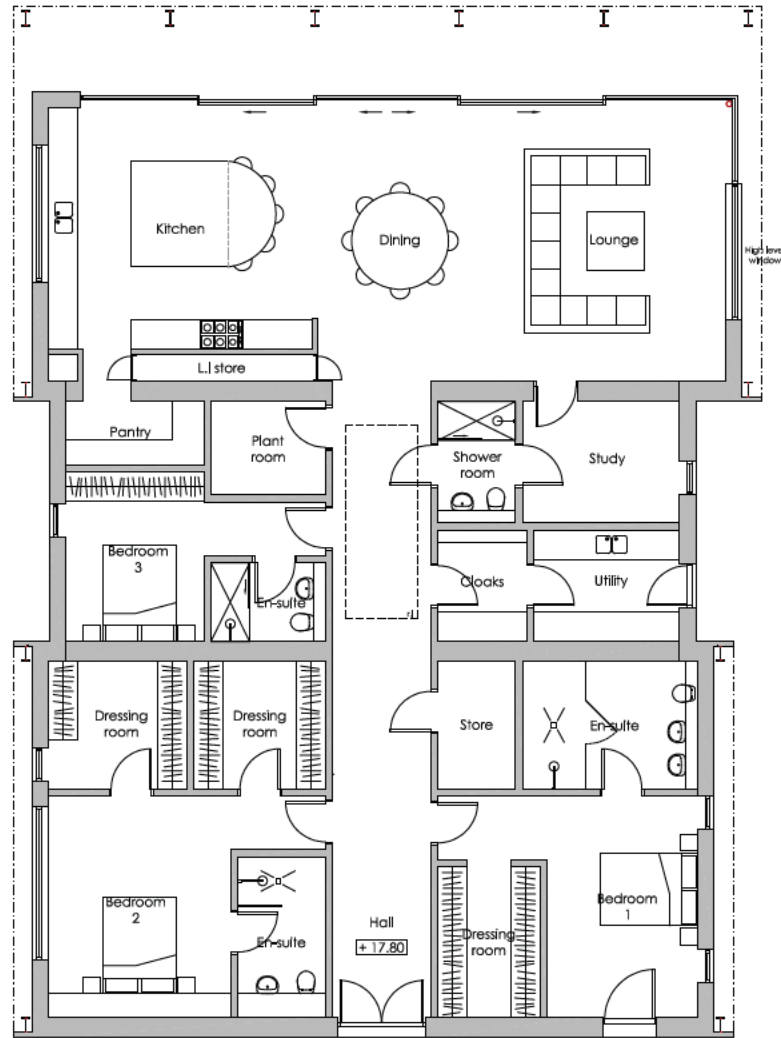
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Proposed floor plans



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Schedule of areas (gla)

	m2 (gla)	f12 (gla)
Floor plan layout	234.82	2527.58
Total gla floor area	234.82	2527.58
Site area	1975.52	21264.32

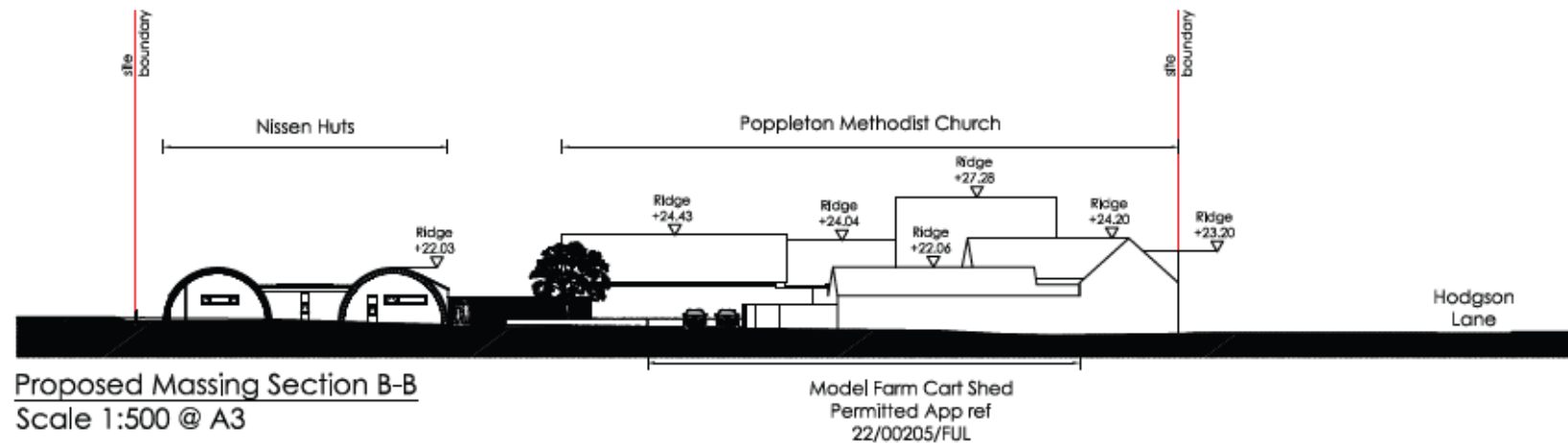
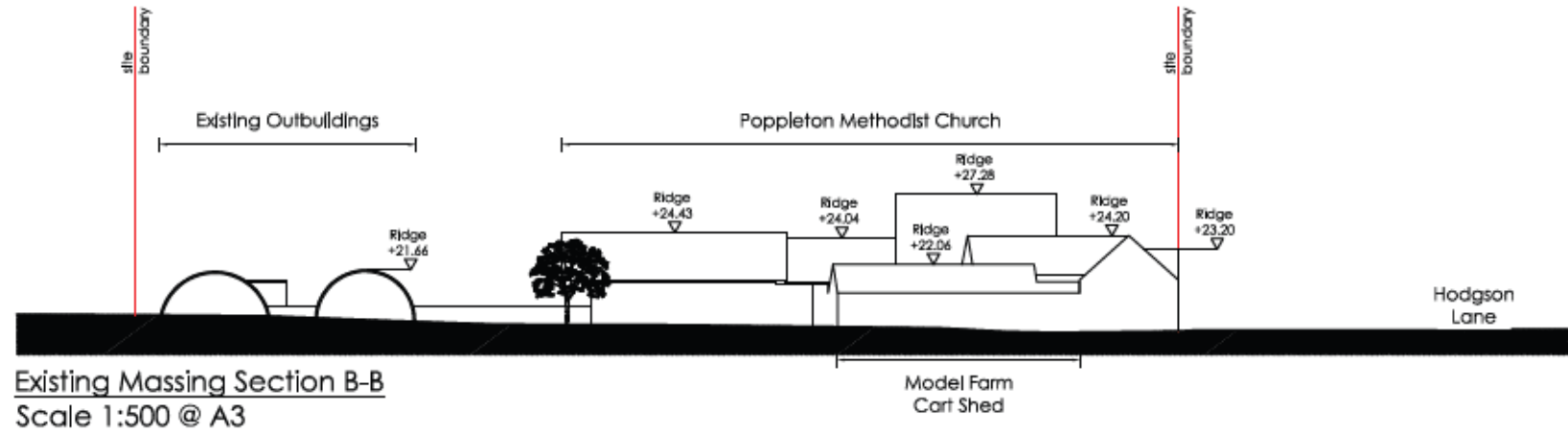
Proposed floor plan - Nissen Huts
 Scale 1:100 @ A3

A	27.04.2024	Revised to suit planning officer's comments	EA
Project: Model Farm, The Green, Upper Poppleton, YO26 6DP			
Title: Floor Plan Layout - Nissen Huts			
Client: Mr. R. Garland			
Scale: 1:100 @ A3		Date: September 2023	
Drawn By: EA	Drawing Number: 1067.P110	Revision: A	

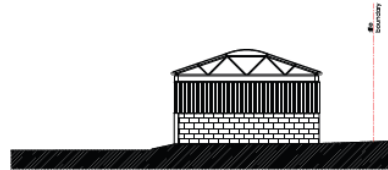
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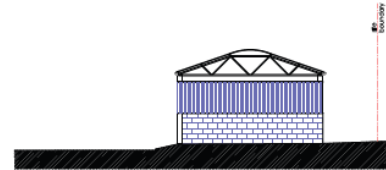
Existing and proposed Massing section



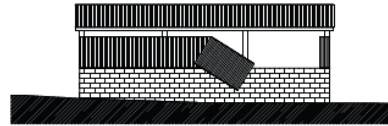
Existing and Proposed Hay Barn



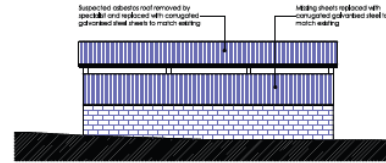
Existing north west elevation (side) - Hay Barn
Scale 1:100 @ A1



Proposed north west elevation (side) - Carport
Scale 1:100 @ A1



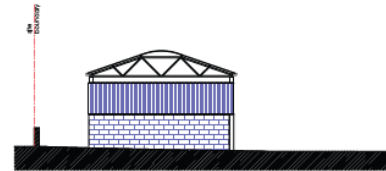
Existing south elevation (rear) - Hay Barn
Scale 1:100 @ A1



Proposed south elevation (rear) - Hay Barn
Scale 1:100 @ A1



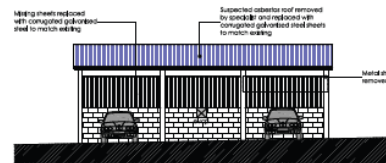
Existing south east elevation (side) - Hay Barn
Scale 1:100 @ A1



Proposed south east elevation (side) - Hay Barn
Scale 1:100 @ A1



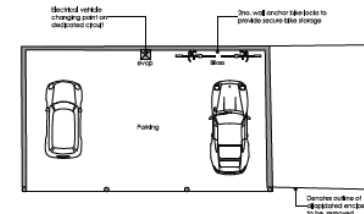
Existing north elevation (front) - Hay Barn
Scale 1:100 @ A1



Proposed north elevation (front) - Hay Barn
Scale 1:100 @ A1



Existing floor plan - Hay Barn
Scale 1:100 @ A1



Proposed floor plan - Hay Barn
Scale 1:100 @ A1



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Graphic Scale 1:100

Project: Model Farm, The Green, Upper Poppleton, YO26 6DP

Title: Existing and Proposed Hay Barn

Client: Mr. R. Garland

Scale: 1:100 @ A1 Date: June 2024

Drawn By: EA Drawing Number: 1007 P410 Revision:

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COMMITTEE REPORT

Date: 28 November 2024 **Ward:** Huntington/New Earswick

Team: East Area **Parish:** New Earswick Parish Council

Reference: 22/00440/FULM

Application at: Land To The West Of 1 To 8 Garthway New Earswick York

For: Erection of 14no. dwellings with associated infrastructure following the demolition of 2 no. garage courts

By: Joseph Rowntree Housing Trust

Application Type: Major Full Application

Target Date: 2 December 2024

Recommendation: Approve subject to Section 106 Agreement

1.0 PROPOSAL

1.1 Planning permission is sought for 14 no. dwellings, comprising of 7 pairs of semi-detached two storey dwellings; 8 x 2 bed dwellings and 6 x 3 bed dwellings, with 26 car parking spaces.

1.2 The boundary of the New Earswick Conservation area runs along the north eastern boundary of the application site. The site is bounded by a large and wide hedge to the western boundary. To the west of the site is Bootham Stray and the area directly adjacent to the application site is laid out as sports pitches. The site currently comprises 47 garages, garden space and an electricity substation. To the north and south are dwellings. To the east are 2 no. block of flats (total of 8 flats). The proposal would result in a reduction in the garden/amenity space to these flats (1-8 Garthway). The site is within Flood Zone 1.

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017

1.3 It is the view of Officers that the proposed site is not within or adjacent to an environmentally sensitive area (as specified in the regulations) and taking into account the characteristics of the proposed development, the location of the development, and characteristics of the potential impact, the proposed development would not result in significant environmental effects and therefore an Environmental Impact Assessment is not required.

Decision of the Planning Committee B Meeting 15 August 2024

1.4 Resolved: That the application be deferred.

1.5 Reason: Due to the potential loss of biodiversity value, the committee require the submission of the management plan for the maintenance of the hedge proposed under condition 11 to be submitted for their consideration.

Submission of Further Information by the applicant

1.6 The applicant has submitted an addendum to the Arboricultural Impact Assessment (AIA).

1.7 The report states that the hedge (identified in the AIA as H8) along the western boundary of the site is outside of the development site boundary on land owned by CYC and leased to a third party.

1.8 The applicant's proposal is that the area of the application site will be cleared and a protection fence erected along the boundary during construction. Any gaps in the Council's hedge will be infilled and a stock fence erected along the boundary when works have been completed. The eastern face of the hedge will then be maintained by occupiers of the houses, but it will otherwise continue to be subject to maintenance under the Council's direction, which includes maintaining the overall height. There is no proposal to reduce the height of the hedge or undertake any other works to it, and they consider that given its maturity it offers a suitable boundary treatment for the houses, as such no further boundary treatment is necessary to offer privacy screening.

1.9 An additional condition (no.25) is recommended and condition 11 has been amended to remove the requirement for a management plan.

2.0 POLICY CONTEXT

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

5.4 The planning policies of the National Planning Policy Framework (December 2023) are a material consideration in the determination of planning applications. The presumption in favour of sustainable development is set out at paragraph 11 of the NPPF.

PUBLICATION DRAFT YORK LOCAL PLAN (2018)

5.2 The Draft Local Plan 2018 ('2018 Draft Plan') has been subject to examination and a response from the Inspectors is expected. The draft Plan policies can be afforded weight in accordance with paragraph 48 of the NPPF which requires regard to be given to the stage of preparation of the plan, the extent to which there are

unresolved objections and the degree of consistency with NPPF policy. Relevant policies are:

H2 Density of Residential Development

H3 Balancing the Housing Market

H10 Affordable Housing

D1 Placemaking

D2 Landscape and Setting

D4 Conservation Areas

GI4 Trees and Hedgerows

GI6 New Open Space Provision

CC2 Sustainable Design and Construction of New Development

ENV2 Managing Environmental Quality

ENV3 Land Contamination

ENV5 Sustainable Drainage

T1 Sustainable Access

DM1 Infrastructure and Developer Contributions

3.0 CONSULTATIONS

INTERNAL CONSULTATIONS

Highway Network Management

3.1 The development will require the whole frontal footway to be re-laid and this will be undertaken with a Section 278 agreement. Cycle parking must comply with LTN 1/20 – one cycle space per bedroom and must be covered and secure. The bin collection point shall be no more than 10 metres away from the highway and it should not be positioned on the highway. If the road(s) inside the development are to be adopted, the vehicular access to the properties will have to be constructed in accordance with the CYC Vehicle Crossing Policy – only the accesses can be lowered and not the whole frontage. Request that the applicant enter into a Section 106 agreement – this will be to upgrade the Folk Hall bus stop on Hawthorn Terrace.

Design and Conservation (Landscape Architect)

3.2 The proposed development would result in the removal of two young/semi-mature Sweetgum trees (Liquidambar) - ref: T15 and T16 in the tree survey. These are nicely established, healthy trees in a good location, either side of the access road to the site. These would be lost due to the widening of the entrance road. This is unfortunate, however they are only 6m high with a stem diameter of 13cm so could quite readily be replaced with similarly sized advanced nursery stock set further back from the proposed kerb edge, to mark the entrance in a similar fashion as existing.

3.3 New native, hedge planting should be applied across the side and front of the existing apartment blocks.

3.4 The proposed development would change the quality and character of the views and the setting of the village from the open landscape and Bootham stray land and railway line to the west due to the reduction of the existing hedgerow and the positioning of two-storey development much closer to the boundary than in the surrounding existing development. This loss would also reduce the significance of the hedge and its contribution to the landscape character of the adjacent open landscape and green infrastructure corridor.

Design and Conservation (Ecology Officer)

3.5 From a review of the information provided it is recommended the applicant works to retain and enhance the exiting valuable habitats on site, such as the western hedgerow, and also work to incorporate ecological enhancements into the new 'green' areas, such as the communal gardens.

3.6 The increased structural integrity of modern developments reduces the potential for birds and bats to utilise modern buildings for nesting and roosting therefore any new developments should integrate appropriate bird and bat boxes. Ecological enhancements have been recommended within the Preliminary Ecological Appraisal with the aim of providing biodiversity net gain post construction, request these are sought via condition.

3.7 Due to the proximity of several areas of ecological value, including; the western boundary hedgerow, Bootham Stray, New Earswick Meadow Site of Importance for Nature Conservation (SINC) and Green Infrastructure Corridors of both local and district importance, the provision of a CEMP is considered appropriate – request this is sought via condition.

3.8 With the aim of maintaining and improving foraging and commuting habitats for bat a sensitive lighting scheme should be produced and submitted to the local planning authority for approval prior to any new lighting being installed on site – request this is sought via condition.

3.9 As the application site provides suitable habitat for nesting birds, precaution methods will be required during the demolition works and for all required vegetation clearance within the nesting bird season – request this is sought via condition.

Design and Conservation (Archaeology)

3.10 Do not wish to impose any archaeological conditions.

Design and Conservation (Conservation)

3.11 Principle of redevelopment accepted (demolition of garages and large area of hardstanding welcomed), retention of front blocks supported. Site outside conservation area, though adjacent to / within the setting of it. Use, height, brick and pantile materials palette supported. Inclusion of front gardens and traditional hedgerows are welcomed, but do result in some very small rear gardens.

3.12 The layout (arced 'crescent' and higher density) does not follow the predominant character of New Earswick, but one advantage is that the view into the development is not a large car park. The development would better reflect local character if there were larger gaps between buildings to retain a more open and verdant character with greater opportunities for landscaping, acknowledge this is likely to result in a loss of unit numbers.

3.13 While the proposals do seek to retain a degree of arts and craft / New Earswick style, they could be improved to better relate to the character of the conservation area. Local context could be better referenced through relatively minor changes to elevational treatment / architectural details, primarily windows (more horizontal emphasis rather than vertical, the proposed dark grey frames are very much at odds with the rest of New Earswick) and the inclusion of roof overhangs which are a very strong characteristic of New Earswick (the elevations suggest a very clipped detail).

3.14 Comments on revised proposals - The scheme is still more dense than typical buildings in the immediate vicinity and so is somewhat out of character with this, which is not ideal. However, to counter this the visual impacts from main public routes are low. The proposals also have quite small outdoor space for some units, however they are small homes- with more typical private outdoor space than would be provided if living in a similar sized apartment. The overall site layout strategy is also a good one and the architectural design of buildings are quite attractive. the proposal has support on design grounds. understand the applicant over-provides on CYC policies for affordable housing, which if correct could be weighed against potential negatives.

Strategic Planning Policy

3.15 No objection. Given the advanced stage of the emerging Plan's preparation, the lack of significant objection to the emerging policies relevant to this application and the stated consistency with the Framework, in the context of NPPF para 48 we would advise that the policy requirements of the following emerging Plan policies can be afforded moderate weight in determining this planning application: H2, H3.

Lead Local Flood Authority

3.16 The submitted and attached Proposed Drainage Layout – Re: P21-01451- Met-M2-C-002 Version V5 dated 30th March 2023 by Met Engineers showing foul water

being connected to the public foul sewer and surface water to the public surface water sewer at a restricted rate of 10.5 (ten point five) litres per second with appropriate attenuation up to and including the 1 in 100 year event with 30% climate change event and the Proposed Site Plan – Re: 403/02 (02) 003 Revision I dated 21 April 2023 by Shaw & Jagger are generally acceptable. Request following conditions: drainage scheme to be in accordance with submitted details.

Public Protection

3.17 As there are residential properties close to the proposed site it is recommended that controls are put in place to minimise noise, vibration and dust during construction. Request following conditions: Construction and Environmental Management Plan and restricted hours of demolition and construction works and ancillary operations.

Waste Services

3.18 If waste from plots 1 to 4 is presented where the access road meets the public highway that would be acceptable providing a hardstanding area is provided for the bins, with a flat and even surface between this area and the refuse vehicle collection point. If the access road to the other plots is adopted, not just built to adoptable standards, and the road width is a minimum of 5 metres and satisfies the criteria within the Waste Information for Developers guide the plan is acceptable.

Housing Strategy and Performance Team

3.19 The proposal is greatly in excess of the 10% affordable housing policy requirement. All the houses meet the Nationally Described Space Standards guidance and will reduce heat demand and minimise fuel poverty and carbon emissions. There is a very substantial need for affordable housing within the City and this application will make an important contribution towards meeting local need. By providing 2- and 3-bed houses for social rent and shared ownership the proposed development would also make an important contribution to meeting the highest priority need types identified in the Local Housing Market Assessment. Nominations would be secured for the council for 75% of the Social Rent properties. The application is strongly supported by the Housing Strategy and Performance team.

Educational Planning Officer

3.20 Based on projections, Education request contributions for each sector, totalling £201,679. Expansion at catchment New Earswick and Joseph Rowntree Schools is preferred. However, the nearby schools identified may also or instead be expanded to provide additional capacity in the planning area.

Community Sports Development Manager

3.21 The 2017 green infrastructure update shows that the Huntington and New Earswick ward has an oversupply of outdoor sports provision. That being said, the city's Playing Pitch Strategy is being refreshed at the moment and while this is not yet published the action plan highlights a number of improvements requiring investment at New Earswick Sports Club to bring the pitches up to a playable standard and therefore be used by the local population. These include: Football - Improve ancillary facilities based on demand; Rugby League - Improve pitch quality for community use e.g. drainage; Cricket - Improve site's maintenance to Good to alleviate overplay on square; and Tennis - Improve court quality for community use e.g. drainage and therefore I would be looking for a contribution.

3.22 Request off-site contributions and particularly for sport totalling £7,242 with the suggested beneficiaries for the outdoor sports elements to be New Earswick Sports Club and or another sports project within a 15-20 minute walking distance or within 20 minutes on public transport of the development. Request contributions of £5,134 and £10,520 for amenity and play space respectively.

EXTERNAL CONSULTATIONS

New Earswick Parish Council

3.23 Object, there is no detail on the adoption of air source heat pumps for heating and water and provision of electric vehicle charging infrastructure. Therefore, no clarity on the carbon impact of the development.

3.24 A significant number of garages will be demolished as part of the proposal. Current garage users will be given alternative provision, only if available. A further application 22/00456/FUL also involves the demolition of garages in New Earswick by the same applicant. Concerns are that this will cause additional parking problems.

Yorkshire Water

3.25 The submitted 'Flood Risk Assessment' is acceptable. In summary, the report states that a.) Foul water will discharge to public foul b.) Sub-soil conditions do not support the use of soakaways c.) A watercourse is remote from the site d.) Surface water will discharge to public sewer via storage with restricted discharge of 24.2 litres/second.)

Foss Internal Drainage Board

3.26 The Board notes that soakaways have proven to not be a viable option. The applicant is proposing to discharge into the Mains Surface Water Sewer which in

turn discharges into the Board maintained watercourse known as Westfield Beck. Accordingly, approval will be required from the Board in terms of the discharge rate. The Board notes a discharge rate of 10.5 litres per second has been proposed on the basis of a 30% reduction of the existing rate. This is agreed with the Board. Provided this flow control device restricts the discharge rate to 10.5 litres per second, and the applicant will be putting a maintenance schedule in place, the Board has no objection to the proposal. The Board notes that the applicant is proposing two cellular storage attenuation tanks. These appear to accommodate a 1:100 year storm event plus 30% for climate change. Provided the LLFA as the “approving authority” are satisfied with the proposal as a long term sustainable solution, the Board have no objection to the proposal.

3.27 The Board notes that the applicant is proposing to use the mains sewer for the disposal of foul sewage. If Yorkshire Water is content with the proposed arrangement and is satisfied that the asset has the capacity to accommodate the flow, then the Board would have no objection to the new proposed arrangement.

National Grid

3.28 No comments received.

York Civic Trust

3.29 The design successfully considers the architectural features important to New Earswick, However there are two aspects that might benefit from additional thought:

- the existing buildings on site each feature chimneys, which are/were a common architectural feature in New Earswick. The addition of chimneys to these new buildings would again help to maintain the New Earswick vernacular. They would help maintain the cohesive design of the area, and add a rhythm to the longer, terraced house schemes.
- the proposed use of dark grey coloured window frames with long vertical panes does not appear sympathetic to the immediate area. As the new buildings will have a close visual association with the existing buildings on the site, a window design which is more sympathetic in style and colour would help to maintain the New Earswick vernacular style while ensuring it had a modern twist to reflect the new development.

4.0 REPRESENTATIONS

Neighbour Notification and Publicity

4.1 One general comment:

- no reference to solar panels, no reference to zero carbon standard, and reference to Air Source Heat Pumps (which would require a high level of

insulation) only in property type AG. no sense to develop homes that fall short of zero carbon standards and to develop buildings without solar installations that can generate enough power to support the household's needs.

4.2 Six letters of objection:

- The statements regarding the use of the garage are incorrect, a lot are in use.
- Will be nowhere to park vehicles once the garages are removed, exacerbated by the traffic and parking resulting from the proposed development.
- Exacerbate existing drainage issues.
- Proposal will affect communal gardens to the rear of Garthway properties, reducing the size and moving of sheds.
- Does not provide parking provision for 1-8 Garth Way, currently use garages.
- Existing garages have not been maintained by the applicant.
- Proposed development will result in an increase in traffic.
- Proposed development will impact on ecology and the loss of the small wooded area behind the garages
- Advise that the residents of 1 – 8 Garthway have not been allocated alternative garages contrary to the claim made in the application.
- Impact on parking for disabled tenants.
- Loss of shared garden and washing lines.

5.0 APPRAISAL

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that determinations be made in accordance with the development plan unless material considerations indicate otherwise. The site is not considered to be within the general extent of the greenbelt. There is no Neighbourhood Plan for the site.

DEVELOPMENT OF THE SITE FOR HOUSING

5.2 The application site is previously developed land within the urban area. Paragraph 60 of the NPPF states that to support the Government's objective of significantly boosting the supply of housing, it is important that sufficient amount and variety of land can come forward where it is needed and that the needs of groups with specific housing requirements are addressed. Policy H2 Density of Residential Development states that to ensure the efficient use of land and help maintain local services and public transport provision, housing developments within the suburban area will be expected to achieve a net density of 40 units/ha. The site density for the new build dwellings is 30 units/ha, however the application site also includes all of the garden area for the existing flats; including the 8 existing flats in the density calculation results in a site density of more than 40 units/ha.

5.3 The draft Local Plan affordable housing policy H10 is subject to modification and is considered to have limited weight. The NPPF states that affordable housing

should only be sought for major development (10+ dwellings). The Local Plan evidence base identifies that there is a need for affordable housing in the city and policy H10 as modified seeks contributions for off-site provision for 10% of housing proposed for sites of 14 houses. Policy H10 as modified encourages higher rates of provision where development viability is not compromised. The applicant states that as an established Registered Social Housing Provider, JRHT expect to retain ownership of the units and offer them for rent or shared ownership. Normally the LPA could only secure affordable housing identified as required and viable in the evidence base. However in this case, the provision of a 100% affordable housing scheme is being promoted by the applicant and an assessment has been submitted stating that the scheme cannot be delivered if it is required to provide the financial contributions set out in section 3.0 of this report. The applicant's viability assessment has been independently verified and it is agreed that the provision of financial contributions would make the scheme unviable. As such it is considered to be reasonable to secure the provision of 100% affordable housing through a Section 106 legal agreement. This obligation is considered to comply with Regulation 122 of the Community Infrastructure Levy Regulations (CIL).

5.4 The provision of housing with all houses proposed to be affordable on previously developed land has very significant weight in the planning balance, and complies with the NPPF and policies H2, H3 and H10 of the Draft Local Plan.

VISUAL AMENITY AND IMPACT ON THE SETTING OF THE CONSERVATION AREA

5.5 Chapter 12 of the NPPF contains policy on design, placing great importance to that design of the built environment, stating that planning decisions should ensure that development will add to the overall quality of the area, be visually attractive, sympathetic to local character and history and have a high standard of amenity for existing and future users. This policy is reflected in draft local plan policies D1 Placemaking and D2 Landscape Setting and reflecting the limited extent of unresolved objection, these policies can be given moderate weight in the planning balance.

5.6 The proposed dwellings are of a more modest scale and of a denser pattern of development than the wider surroundings, however the wider visual impacts are low. The proposed dwellings reflect the arts and crafts style of the dwellings to the north and are considered to be an attractive design.

5.7 The landscaping around and within this development is has considerable importance to the success of this development and how it sits within the surrounding landscape. A general landscaping plan has been submitted. The denser development and being closer to the boundary would give the development a degree of prominence from the Stray. The retention of the hedge to the western boundary is of importance and has been retained along a large stretch between the

housing development and the Stray. The reduction in size and the maintenance of the hedge would be in keeping with other similar development in the area. Views of the site from the stray would be viewed in context of the surrounding development. It is considered necessary to condition details for the initial proposed works to the hedgerow and a subsequent management plan to ensure that it is maintained retained to an appropriate scale.

5.8 In accordance with section 72 of the Planning (Listed Building and Conservation Area) Act 1990, the Local Planning Authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area in exercising its planning duties. Where there is found to be harm to the character or appearance of the Conservation Area the statutory duty means that the avoidance of such harm should be afforded considerable importance and weight.

5.9 The legislative requirements of Sections 72 are in addition to government policy contained in Section 16 of the NPPF. The NPPF classes conservation areas as 'designated heritage assets'. Section 16 advises that planning should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.

5.10 The Draft Local Plan (2018) polices D4, and D5 reflect legislation and national planning guidance that development proposals should preserve or enhance the special character and appearance and contribution to the significance and setting of the heritage assets and respect important views.

5.11 With its hipped tiled roofs and front gables, flat roofed dormers and vertical emphasis to the windows, the proposed design of the dwellings appears to be in keeping with the semi-detached houses and terraces neighbouring the site. The special character and interest of this Conservation Area is its historic, garden village quality. The removal of the garages and the erection of the proposed dwellings is considered to have a neutral impact to the setting of the conservation area.

5.12 The proposed site layout and the design of the buildings is considered to be appropriate in the streetscene and would result in no harm to the setting of the conservation area.

HIGHWAY ISSUES AND THE LOSS OF GARAGES

5.13 The NPPF encourages development that is sustainably located and accessible; requires that all development achieves safe and suitable access for all users and that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Further, paragraph 116 requires development to, inter alia, give priority first to pedestrians and cycle movements and

create places that are safe, secure and attractive thereby minimising the scope for conflicts between pedestrians, cyclists and vehicles. Policy T1 of the draft Local Plan aligns with the approach of the NPPF in that it seeks the safe and appropriate access to the adjacent adopted highway, giving priority to pedestrians and cyclists.

5.14 The site is considered to be within a sustainable location close to local facilities and public transport. The site is 380 metres from a high frequency bus stop (Folk Hall). The site is close to the cycle network which gives off-road access to the orbital route and onward connection via off-road and on-road cycle paths to the hospital, city centre and railway station. A Covered and secure 2m x 2m cycle parking shed / garden store is provided for each dwelling, LTN1/20 suggests one cycle space per bedroom. The store can provide the guideline level of cycle parking but not tandems, trailers or accessible cycles. A condition is recommended to require further detail of the store.

5.15 Each 3xbed dwellings has 2no. vehicle parking spaces, and the 2xbed dwellings have 1no. vehicle parking space each. There would be 6 visitor parking spaces (total of 26 vehicle parking spaces). A bin collection point has been provided at one of the access points and refuse bins would also be likely be collected from the other access point from the grass verge as is the case with the neighbouring properties. The loss of the garages would likely result in an increase in on-street parking in the local area, however the impact is considered relatively limited. It is noted that there are no street parking restrictions. The proposals are considered to be acceptable in terms of their impact on the surrounding highway network.

5.16 The Highway Network Management team have requested a contribution towards the upgrading of the nearby Folk Hall bus stop (Hawthorne Lane). This obligation is not considered to comply with Regulation 122 of the Community Infrastructure Levy Regulations (CIL). It is not considered to comply with para 57 of the NPPF which requires obligations to: necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development.

5.17 S.149 of the Equality Act 2010 contains the public sector equality duty (PSED) which requires public authorities, when exercising their functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. Protected characteristics included disability, sex, age and pregnancy and maternity. The proposed loss of the garages has resulted in objections including objections that people with disabilities will have difficulty finding on street parking spaces. It is considered that similar issues could arise for those with protected characteristics and people using the garages for storing mobility scooters. This potentially engages s.149 of the Act. The

PSED does not specify a particular substantive outcome but ensures that the decision made has been taken with due regard to its equality implications.

5.18 As at January 2023, the applicant set out that of the 47 garages; 15 were unused, 17 garages were let to residents within 150 metres of the site, 9 garages were let to residents who live within 300m of the site. One of the garages was let to residents living more than 300 metres from the site. Four of the garages were let to people living outside of the village. More recent correspondence with the applicant's agent states:

“In respect to the ongoing use of the garages, JRHT were conscious that a number of garage sites are proposed for redevelopment where the timing differs, which could leave tenants who are subject to later proposals at a disadvantage if those served notice first were offered an alternative garage before the last scheme comes forward. JRHT has therefore served notice on the occupants of all affected garages and taken back possession of all the units at the same time. This is with a view to implementing a policy that will see those with disabilities being offered a replacement garage as a matter of priority, especially where they are already tenants of JRHT.”

“It is understood that of those who rented garages at Garthway West, they are to be allocated garages elsewhere”.

5.19 In consideration of this issue it is noted that blue badge holders can seek disabled parking bays to be provided in the public highway, and that a shed for the parking of a mobility scooter is to be provided in the garden of the existing flats 1-8 Garthway. The applicant has sought to address the issue through their policy as set out in 5.17 above including giving those with disabilities priority for replacement garages. It is not considered that the applicant's garage policy could reasonably be included as a planning condition.

5.20 Officers have given due regard to the aims of the Act. The provision of 14 affordable houses has very significant weight in the decision making process, regard is also given to the mitigation and alternatives to garage parking set out in 5.18.

RESIDENTIAL AMENITY

5.21 The NPPF seeks a good standard of amenity for all existing and future occupants, and that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are sympathetic to local character and history, including the surrounding built environment and landscape setting. Policies D1 and ENV2 of the 2018 Draft Local Plan seek to ensure that development proposals do not unduly affect the amenity of nearby residents in terms of noise disturbance, overlooking, overshadowing or from overbearing structures.

5.22 The proposed development will result in the reduction of the communal garden areas to 1-8 Garthway, in addition the 2 no. outbuildings to these flats will also be demolished. Whilst the communal garden areas would be smaller they are still considered to provide a reasonable sized outside amenity area for the occupants of 1-8 Garthway. Officers understand that the occupants of 1-8 Garthway do not currently have allocated parking provision. The proposed development does not provide these existing flats with allocated parking, though it is noted that 6no. visitor parking spaces would be provided.

5.23 The closest distance between the windows of the Garthway flats (7 and 8) and the proposed dwellings is 12.5 metres. The distance between the proposed dwellings and the garden boundary of the Garthway flats at its closest point would be 6.2 metres. The plans show the shared boundary to be demarcated by a hedge. The floor plan and elevations of the proposed 2x bed dwellings has been altered to reduce the first floor front elevation window size and to obscurely glaze one of the windows to reduce the perception of overlooking to the flats and the communal garden area. On balance these measures are considered to lessen the impact to privacy. The proposed development is not considered to result in undue overshadowing to the neighbouring dwellings.

5.24 The proposed dwellings are considered to provide reasonable sized accommodation. There is a requirement for 2-3 bedroomed dwellings within the city. The garden spaces for the proposed dwellings are considered to be modest however there are considered to be sufficient to dry clothes, and to have a play set.

BIODIVERSITY

5.25 Paragraph 180 of the NPPF requires planning decisions to contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. Draft Local Plan policies reflect this advice in relation to trees, protected species and habitats; GI4 states that development will be permitted where it retains trees and hedgerows that make a positive contribution to the character or setting of a conservation area or listed building, the setting of proposed development, are a significant element of a designed landscape, or value to the general public amenity, in terms of visual benefits, shading and screening.

5.26 The NPPF advises that if significant harm to biodiversity from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

5.27 A Preliminary Ecological Appraisal (PEA) has been submitted. The habitats within the site comprise scrub, buildings, amenity grassland and bare ground interspersed with scattered trees. The existing dwellings on the site have bat roost potential but no works are proposed to these buildings. The site is suitable for

nesting birds and any trees, shrubs or buildings to be removed should be cleared outside of the bird nesting season unless safeguards are in place. No further ecological constraints were identified.

5.28 The PEA makes recommendation for biodiversity gains. These include at least 4 bat boxes sited on buildings; a lighting design plan; bird boxes on 25% of the new houses; hedgehog houses and hedgehog holes to allow access between gardens and in and out of the site. Recommend an Ecological Construction Environment Management Plan and an Ecological Enhancement Management Plan.

5.29 Ecology Officer is satisfied with the submitted ecology information. It is considered that the recommendations of the report be secured via condition.

DRAINAGE

5.30 The NPPF requires that suitable drainage strategies are developed for sites, so there is no increase in flood risk elsewhere. Local Plan Policy GP15a (Development and Flood Risk) and Publication Draft York Local Plan (2018) Policy ENV5 (Sustainable Drainage) advise discharge from new developments should not exceed the capacity of receptors and water run-off should, in relation to existing runoff rates, be reduced.

5.31 The Lead Local Flood Authority Engineer has advised that the principle of the revised drainage scheme is considered to be acceptable. It is considered necessary to condition the drainage scheme to ensure that the drainage scheme is implemented.

SUSTAINABILITY

5.32 Policy CC2 of the Draft Local Plan (2018) as recently amended states all new residential building development of 1 or more dwellings should achieve:

- on-site carbon emissions reduction of a minimum of 31% over and above the requirements of Building Regulations Part L (2013), of which at least 19% should come from energy efficiency measures; and,
- a water consumption rate of 110 litres per person per day (calculated as per Part G of the Building Regulations).

5.33 Pending anticipated changes to Building Regulations, developments should further aim to achieve up to a 75% reduction in carbon emissions over and above the requirements of Building Regulations Part L (2013) unless it is demonstrated that such reductions would not be feasible or viable. The Target Emissions Rate (TER) for proposed new dwellings should be calculated using version 10 of the Standard Assessment Procedure (SAP).

5.34 The supporting information sets out that the developer addresses the policy by improved thermal and acoustic efficiency, with high insulation levels; improving air tightness with the use of robust detailing and membranes; reduction of thermal bridging with the use of robust detailing; the use of air-source heat pumps in each dwelling; the use of reduced flow shower fittings and a standard sized bath.

5.35 It is considered the requirements of policy CC2 can be achieved by condition.

DEVELOPER CONTRIBUTIONS

Education

5.36 The Education Planning Officer requests contributions for each sector, totalling £201,679. This would include an expansion to the catchment areas of New Earswick and Joseph Rowntree Schools. The schools identified may also or instead be expanded to provide additional capacity. This obligation would in principle comply with Regulation 122 of the Community Infrastructure Levy Regulations (CIL) subject to viability as set out below.

Sport and Open Space

5.37 The 2017 green infrastructure update sets out that there is an oversupply of outdoor sports provision in the Huntington and New Earswick ward. The Active Sport and Leisure team advise that the city's Playing Pitch Strategy is being refreshed at the moment and highlights a number of improvements requiring investment at New Earswick Sports Club to bring the pitches up to a playable standard and be used by the local population.

5.38 The request for off-site contributions for sport totalling £7,242 with the suggested beneficiaries for the outdoor sports elements to be New Earswick Sports Club and or another sports project within a 15-20 minute walking distance or within 20 minutes on public transport of the development. In addition they request contributions of £5,134 and £10,520 for amenity and play space respectively.

5.39 The requested obligation towards sports provision is not considered to comply with Regulation 122 of the Community Infrastructure Levy Regulations (CIL). As there is an oversupply of outdoor sports provision it is not considered to comply with para 57 of the NPPF which requires obligations to be: necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. However the requested obligations towards amenity and play space would in principle comply with Regulation 122 of the Community Infrastructure Levy Regulations (CIL) subject to viability set out below.

Viability

5.40 Financial Viability is a material planning consideration. The NPPF and Planning Practice Guidance for Viability (PPG) set the framework and principle for undertaking and assessing a Financial Viability Assessment (FVA) for plan making and decision taking. In accordance with this framework, the applicant has submitted an FVA, this concluded that “The applicant intends on delivering an entirely affordable scheme. Our appraisal produces a negative profit and is therefore unviable. The scheme is therefore unable to deliver any non-housing s106 contributions that may be required in accordance with local planning policy”.

5.41 The LPA subsequently commissioned a review of the FVA by an independent property consultant. The review concluded that proposed 100% affordable housing scheme is unable to provide any S106 contributions. The review report further recommends a review of the GDV upon the commencement of the construction works. Requiring a financial contribution secured through a s.106 agreement would not comply with Regulation 122 of the Community Infrastructure Levy Regulations because the contribution would not be fairly and reasonably related in scale and kind to the development.

6.0 CONCLUSION

6.1 The proposal would provide 14 new houses all of which would be affordable housing provided by a Registered Social Housing Provider, this complies with the NPPF and draft local plan policy H10 and its aim of encouraging higher rates of affordable provision. This has very significant weight in the planning balance. The proposed design and layout are appropriate to its surroundings and will have a neutral impact on the setting of the conservation area. The demolition of the garages would be an inconvenience to the users but would not have an unacceptable impact on highway safety; due regard has been given to the requirements of the Public Sector Equality Duty. The impact on the living conditions of neighbouring dwellings is not considered to be harmful. Planning conditions can address or mitigate all other material planning considerations. Subject to conditions and the completion of a legal agreement to secure affordable housing, the provision of housing is considered to outweigh any identified harms and the development would accord with the NPPF, and the draft Local Plan 2018.

7.0 RECOMMENDATION

i That delegated authority be given to the Head of Planning and Development Services to APPROVE the application subject to:

a. The completion of a Section 106 Agreement to secure the following planning obligations:

- Affordable Housing: 100% provision
CYC nominations to 75% of the social rent properties
Review of the GDV upon the completion of the construction works

ii The Head of Planning and Development Services be given delegated authority to finalise the terms and details of the Section 106 Agreement.

iii The Head of Planning and Development Services be given delegated authority to determine the final detail of the following planning conditions:

1 TIME2 Development start within three years

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

Drawing Number (02) 001 Revision A 'Site Location Plan' received 15 March 2022
Drawing Number (02) 003 Revision I 'Proposed Site Plan' received 26 April 2023;
Drawing Number (02) 006 'Replacement Storage Block for Existing Flats';
Drawing Number (02) 100 Revision A 'Proposed Floor Plans House Type A 2B4P' received 17 January 2023;
Drawing Number (02) 110 Revision # 'Proposed Floor Plans House Type A 3B5P' received 01 March 2022;
Drawing Number (02) 200 Revision B 'Proposed Elevations House Type A 2B4P' received 14 February 2023;
Drawing Number (02) 201 Revision A 'Proposed Elevations House Type B 3B5P' received 14 February 2023;

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

3 Samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority following the demolition of the garages but prior to the start of construction of the dwellings. The development shall be carried out using the approved materials.

A sample panel of the brickwork to be used on this building shall be erected on the site and shall illustrate the colour, texture and bonding of brickwork and the mortar treatment to be used, and shall be approved in writing by the Local Planning Authority prior to the commencement of building works. This panel shall be retained until a minimum of 2 square metres of wall of the approved development has been completed in accordance with the approved sample.

Reason: So as to achieve a visually cohesive appearance.

4 All demolition and construction works and ancillary operations, including deliveries to and dispatch from the site shall be confined to the following hours:

Monday to Friday	0800 to 1800 hours
Saturday	0900 to 1300 hours

Not at all on Sundays and Bank Holidays

Reason: To protect the amenity of the occupants of the nearby dwellings.

5 Prior to the commencement of construction of the dwellings, a Construction Environmental Management Plan (CEMP) for minimising the creation of noise, vibration and dust during the demolition, site preparation and construction phases of the development shall be submitted to and approved in writing by the Local Planning Authority. The CEMP must include a site specific risk assessment of dust impacts in line with the guidance provided by IAQM (see <http://iaqm.co.uk/guidance/>) and include a package of mitigation measures commensurate with the risk identified in the assessment. All works on site shall be undertaken in accordance with the approved CEMP, unless otherwise first approved in writing by the Local Planning Authority.

Reason: To protect the amenity of the locality. The information is sought prior to commencement to ensure that it is initiated at an appropriate point in the development procedure.

6 Following demolition of the garages but prior to commencement of construction of the dwellings, an investigation and risk assessment shall be undertaken to assess the nature and extent of any land contamination. The investigation and risk assessment shall be undertaken by competent persons and a written report of the findings shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the construction of the dwellings. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination (including ground gases where appropriate);
- (ii) an assessment of the potential risks to:
 - o human health,
 - o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - o adjoining land,
 - o groundwaters and surface waters,
 - o ecological systems,
 - o archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

7 Following demolition of the garages but prior to commencement of construction of the dwellings, a detailed remediation scheme to bring the site to a condition suitable for the intended use (by removing unacceptable risks to human health, buildings and other property and the natural and historical environment) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

8 Prior to first occupation or use, the approved remediation scheme shall be carried out in accordance with its terms. A verification report that demonstrates the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems.

9 In the event that unexpected contamination is found at any time when carrying out the approved development, it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall be undertaken and where remediation is necessary a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. Following completion of the measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

10 No works shall take place until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The CTMP shall include but not be limited to the following information:

- measures to prevent the egress of mud and other detritus onto the adjacent public highway;
 - a dilapidation survey jointly undertaken with the local highway authority;
- All works shall take place in accordance with the approved CTMP.

Reason: To ensure that the development can be carried out in a manner that will not be to the detriment of amenity of local residents or the safe and free passage of highway users. The information is sought prior to commencement to ensure that it is initiated at an appropriate point in the development procedure.

11 Prior to the commencement of development, details regarding protection measures for hedge H8 (running along the western boundary of the site) shall be submitted to and approved in writing by the local planning authority. Amongst the detail the statement shall cover details and locations of protective fencing, ground protection, site rules and prohibitions, phasing of protection measures, site access during development operations, types of construction machinery/vehicles to be used, method of demolition and site clearance, parking arrangements for site vehicles, locations for stored materials, locations and means of installing utilities, location of site compound. The document shall also include methodologies and construction details where specialist construction techniques are required for a change in surface material and/or boundary treatment within the potential root protection area of the hedge. A copy of the document shall be available for reference and inspection on site at all times. The development shall be implemented and carried out in full accordance with the approved details.

Reason: To protect the retained hedge. The information is sought prior to commencement to ensure that it is initiated at an appropriate point in the development procedure.

12 A biodiversity enhancement plan/drawing shall be submitted to and approved in writing by the local planning authority prior to the commencement of the construction of any dwelling. The plan shall be informed by the Preliminary Ecological Appraisal May 2024 and shall include, but not be limited to; 4 integrated features providing a roosting crevice for bats constructed within the fabric of the new

buildings; 4 boxes for nesting birds; 2 hedgehog houses; hedgehog holes in all partition fences; hedgehog holes every 20m in any perimeter boundary fencing; lighting design plan.

The development shall be carried out in accordance with the approved biodiversity enhancement plan/drawing.

Reason: To take account of and enhance the biodiversity and wildlife interest of the area, and to be in accordance with Paragraph 180 d) of the NPPF (December 2023) to contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including establishing coherent ecological networks that are more resilient to current and future pressures.

13 No development shall take place (including ground works and vegetation removal) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP: Biodiversity shall include the following:

- a) Risk assessment of potentially damaging construction activities
- b) Identification of 'biodiversity protection zones'
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
- d) The location and timing of sensitive works to avoid harm to biodiversity features
- e) The times during construction when specialist ecologists need to be present on site to oversee works
- f) Responsible persons and lines of communication
- g) The roles and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person
- h) Use of protective fences, exclusion barriers and warning signs

The development shall take place (including ground works and vegetation removal) in accordance with the approved CEMP: Biodiversity.

Reason: To facilitate the protection of notable/sensitive ecological features and habitats on the application site and within the local area in line with Policy GI2 in the Publication Draft Local Plan (2018).

14 No vegetation removal or demolition works shall take place between 1 March and 31 August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation and structures for active birds' nests immediately before the works and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: To ensure that breeding birds are protected from harm during construction. All British birds, their nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife and Countryside Act 1981, as amended.

Informative: The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Suitable habitat is likely to contain nesting birds between 1st March and 31st August inclusive. As such habitat is present on the application site and is to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

15 Within three months of commencement of development a detailed landscape scheme shall be submitted to and approved in writing by the Local Planning Authority. This shall include the species, stock size, density (spacing), and position of trees, shrubs and other plants. This scheme as approved shall be implemented within a period of six months of the first occupation of the development. Any trees or plants forward of the front wall of any dwelling within the application site which die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority agrees alternatives in writing.

Reason: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species across the site, since the landscape scheme is integral to the amenity of the development and mitigation for lost trees.

16 The development shall be carried out in accordance with the details shown on the submitted Proposed Drainage Layout - Drawing Numbers P21-01451-MET-M2-C-002 Revision 5 (received 21 April 2023) and 403/02 (02) 003 Revision I (received 26 April 2023) and unless otherwise approved in writing by the local planning authority there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

Reason: In the interest of satisfactory and sustainable drainage and so that the Local Planning Authority may be satisfied that no foul and surface water discharges take place until proper provision has been made for their disposal.

17 Prior to first occupation details/specification of the hard landscaping scheme including: gates and fences; ground surface finishes for driveways/parking, paths etc shall be submitted to and approved in writing by the Local Planning Authority. The

development shall be carried out in full accordance with the approved details.

Reason: So that the Local Planning Authority may be satisfied with these details. In the interests of the character, appearance, and special interests of the area and the heritage assets.

18 The refuse bin storage areas for each dwelling shall be provided in accordance with the approved plans (as detailed in Drawing Number (02) 003 Revision I (received 26 April 2024) prior to first occupation. The facilities shall be retained for such use at all times.

Reason: To promote sustainable transport and in the interests of good design in accordance with section 12 of the NPPF. To ensure there is suitable refuse storage areas of the life of the development. So as to achieve a visually cohesive appearance.

19 The building shall not be occupied until the areas shown on the approved plans for parking and manoeuvring of vehicles (and cycles, if shown) have been constructed and laid out in accordance with the approved plans, and thereafter such areas shall be retained solely for such purposes.

Reason: In the interests of highway safety.

20 Prior to the occupation of any dwelling, all carriageways and footways fronting that dwelling and along which access is required to that dwelling, shall be kerbed, lit and surfaced to at least base course level.

Reason: To provide a safe means of access.

21 Notwithstanding drawing number (02) 005 Revision # 'Proposed Bike & Garden Store received 14 February 2023 and drawing number (02) 003 revision I received 26 April 2023 prior commencement of the construction of any dwelling details of the cycle parking areas including their precise location and means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The building shall not be occupied until the cycle parking areas and means of enclosure have been provided within the site in accordance with such approved details, and these areas shall not be used for any purpose other than the parking of cycles unless otherwise approved in writing and clearly marked as such on the approved drawing.

Reason: To promote use of cycles thereby reducing congestion on the adjacent roads and in the interests of the amenity of neighbours, and in the interests of maintaining the existing boundary hedge.

22 The replacement storage blocks for the existing flats as shown on drawing

number (02) 006 Rev # shall be constructed in accordance with a timescale to be approved in writing by the local planning authority prior to the commencement of the demolition of any of the existing storage buildings.

Reason: In the interests of the residential amenities of the existing flats and to ensure the continued provision of cycle and mobility scooter storage in the interests of sustainable and active travel.

23 Prior to the commencement of any works to the rear garden area of the existing flats details of re-provided clothes drying facilities and a timescale for their provision shall be submitted to and approved in writing by the local planning authority. The approved facilities shall be provided in accordance with the approved details.

Reason: In the interests of the residential amenities of the existing flats and in the interests of sustainable development.

24 The new build dwellings shall achieve a water consumption rate of 110 litres per person per day (calculated as per Part G of the Building Regulations). The fabric energy efficiency shall achieve a 19% or more reduction in carbon emissions (compared to the target emission rate as required under Part L of the Building Regulations 2013).

The Target Emission Rate (TER) for the new-build dwellings should be calculated using version 10 of the Standard Assessment Procedure (SAP) and submitted to the Local Planning Authority prior to construction to demonstrate that an overall reduction in carbon emissions of at least 75% above Part L of the Building Regulations 2013 is achieved. If a reduction of 75% or more cannot be achieved a statement shall be submitted to demonstrate that such a reduction would not be feasible or viable, and shall be approved in writing by the Local Planning Authority prior to construction.

Reason: To fulfil the environmental objectives of the NPPF and support the transition to a low carbon future, and in accordance with policy CC2 of the Draft Local Plan 2018.

25 The management recommendations 1, 2 and 3 for the hedge H8 contained in the Addendum to Arboricultural Impact Assessment issued 07 October 2024 shall be carried out as recommended in Table 1 of the Assessment.

Reason: To maintain the integrity of the hedge in the interests of the visual amenity of the area.

8.0 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 (paragraph 38) 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:

- Request additional information
- Request revised plans
- Use of conditions

2. Informative - bats

It is noted that the flats (1 to 8 Garthway) offer suitable features for roosting bats, as detailed in paragraph 8.2.3.2 of the Preliminary Ecological Appraisal. As such, no works to these units shall be carried out without further consultation. Additional bat presence/absence surveys will be required prior to the commencement of any required works.

In the UK, due to the decline in bat numbers in the last century, all species of bat are protected by the Wildlife & Countryside Act (1981) as amended, Countryside and Rights of Way Act (2000) and the Conservation of Habitats and Species Regulations 2017 (as amended). Planning consent for a development does not provide a defence against prosecution under this act. Because of their protected status, it should be noted that if bats are discovered during the course of the work, all works must cease and Natural England must be informed immediately. It is an offence for anyone to disturb or handle a bat without the appropriate licences. This may cause some delay but should not prevent the work continuing, provided that due account is taken of their presence.

3. Informative - hedgehogs

To ensure hedgehogs can make use of the gardens within the proposed development the applicant is advised to consider using permeable fencing or leaving occasional gaps suitable to allow passage of hedgehogs. Any potential hibernation sites including log piles should be removed outside the hibernation period (which is between November and March inclusive) in order to avoid killing or injuring hedgehog.

Hedgehogs are of priority conservation concern and are a Species of Principal Importance under section 41 of the NERC Act (2006). An important factor in their recent population decline is that fencing and walls are becoming more secure, reducing their movements and the amount of land available to them. Small gaps of approximately 13x13cm can be left at the base of fencing to allow hedgehogs to

pass through. Habitat enhancement for hedgehogs can easily be incorporated into developments, for example through provision of purpose-built hedgehog shelters or log piles.

<https://www.britishhedgehogs.org.uk/wp-content/uploads/2019/05/developers-1.pdf>

4. If the developer is looking to have new sewers included in a sewer adoption agreement with Yorkshire Water (under Section 104 of the Water Industry Act 1991), they should contact our Developer Services Team (telephone 03451 208 482, email: technical.sewerage@yorkshirewater.co.uk) at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with the WRc publication 'Code for Adoption - a design and construction guide for developers' as supplemented by Yorkshire Water's requirements.

5. Internal Drainage Board's Consent

Under the Land Drainage Act 1991 and the Boards' byelaws, the Board's prior written consent (outside of the planning process) is needed for:-

- a) any connection into a Board maintained watercourse, or any ordinary watercourse in the Board's district.
- b) any discharge, or change in the rate of discharge, into a Board maintained watercourse, or any ordinary watercourse in the Board's district. This applies whether the discharge enters the watercourse either directly or indirectly (i.e. via a third party asset such as a mains sewer).
- c) works within or over a Board maintained watercourse, or any ordinary watercourse in the Board's district - for example, land drainage, an outfall structure, bridges, culverting etc.

Please note that the Board does not, generally, own any watercourses and the requirement for you to obtain the Board's consent is in addition to you obtaining consent from any land owner or other authority to carry out the relevant works.

Full details of the Consent process can be found on our website:-
<http://www.yorkconsort.gov.uk>

6. INFORMATIVE:

You are advised that this proposal may have an effect on Statutory Undertakers equipment. You must contact all the utilities to ascertain the location of the equipment and any requirements they might have prior to works commencing.

7. AVOIDING DAMAGE TO THE HIGHWAY GRASS VERGE

Applicants/Developers are reminded that great care should be taken to ensure that no damage to the surface or structure of the public highway is caused, by activities

relating directly to the approved development (e.g. delivery of building materials via HGV's). The Council is particularly concerned at the increasing impacts and damage occurring to grass verges. This is detrimental to residential amenity, can present safety issues and places an unreasonable financial burden on the Council, if repairs are subsequently deemed necessary. Therefore, applicants/developers are strongly advised to work proactively with their appointed contractors and delivery companies to ensure that their vehicles avoid both parking and manoeuvring on areas of the public highway (grass verges) which are susceptible to damage. The council wishes to remind applicants that legislation (Highways Act 1980) is available to the authority to recover any costs (incurred in making good damage) from persons who can be shown to have damaged the highway, including verges. If the development is likely to require the temporary storage of building materials on the highway, then it is necessary to apply for a licence to do so. In the first instance please email highway.regulation@york.gov.uk, with details of the site location, planning application reference, anticipated materials, timelines and volume. Please refer to the Council website for further details, associated fees and the application form.

8. THE PARTY WALL ETC ACT 1996

The proposed development may involve works that are covered by the Party Wall etc Act 1996. An explanatory booklet about the Act is available at:

<https://www.gov.uk/party-wall-etc-act-1996-guidance>

Furthermore the grant of planning permission does not override the need to comply with any other statutory provisions (for example the Building Regulations) neither does it override other private property rights (for example building on, under or over, or accessing land which is not within your ownership).

9. INFORMATIVE:

You are advised that prior to starting on site consent will be required from the Highway Authority for the works being proposed, under the Highways Act 1980 (unless alternatively specified under the legislation or Regulations listed below). For further information please contact:

- Adoption of highway (Section 38) - development.adoption@york.gov.uk
- Agreements as to execution of works (Section 278) - development.adoption@york.gov.uk
- Works in the highway (Section 171) - streetworks@york.gov.uk
- Temporary highway closure (Road Traffic Regulation Act 1984, Section 14) highway.regulation@york.gov.uk
- Footpath/bridleway diversion (Town and Country Planning Act 1990, Section 257)

CONDITION 5 – INFORMATION REQUIRED FOR CEMP

NOTE: For noise details on hours of construction, deliveries, types of machinery to be used, use of quieter/silenced machinery, use of acoustic barriers, prefabrication off site etc, should be detailed within the CEMP. Where particularly noisy activities are expected to take place then details should be provided on how they intend to lessen the impact i.e. by limiting especially noisy events to no more than 2 hours in duration. Details of any monitoring may also be required, in certain situations, including the location of positions, recording of results and identification of mitigation measures required.

For vibration details should be provided on any activities which may result in excessive vibration, e.g. piling, and details of monitoring to be carried out. Locations of monitoring positions should also be provided along with details of standards used for determining the acceptability of any vibration undertaken. In the event that excess vibration occurs then details should be provided on how the developer will deal with this, i.e. substitution of driven pile foundations with auger pile foundations. Ideally all monitoring results should be recorded and include what was found and mitigation measures employed (if any).

With respect to dust mitigation, measures may include, but would not be restricted to, on site wheel washing, restrictions on use of unmade roads, agreement on the routes to be used by construction traffic, restriction of stockpile size (also covering or spraying them to reduce possible dust), targeting sweeping of roads, minimisation of evaporative emissions and prompt clean up of liquid spills, prohibition of intentional on-site fires and avoidance of accidental ones, control of construction equipment emissions and proactive monitoring of dust. Further information on suitable measures can be found in the dust guidance note produced by the Institute of Air Quality Management, see <http://iaqm.co.uk/guidance/>. The CEMP must include a site specific risk assessment of dust impacts in line with the IAQM guidance note and include mitigation commensurate with the scale of the risks identified.

For lighting details should be provided on artificial lighting to be provided on site, along with details of measures which will be used to minimise impact, such as restrictions in hours of operation, location and angling of lighting.

In addition to the above the CEMP should provide a complaints procedure, so that in the event of any complaint from a member of the public about noise, dust, vibration or lighting the site manager has a clear understanding of how to respond to complaints received. The procedure should detail how a contact number will be advertised to the public, what will happen once a complaint had been received (i.e. investigation), any monitoring to be carried out, how they intend to update the complainant, and what will happen in the event that the complaint is not resolved. Written records of any complaints received and actions taken should be kept and details forwarded to the Local Authority every month during construction works by

email to the following addresses public.protection@york.gov.uk and planning.enforcement@york.gov.uk

Contact details:

Case Officer: Victoria Bell

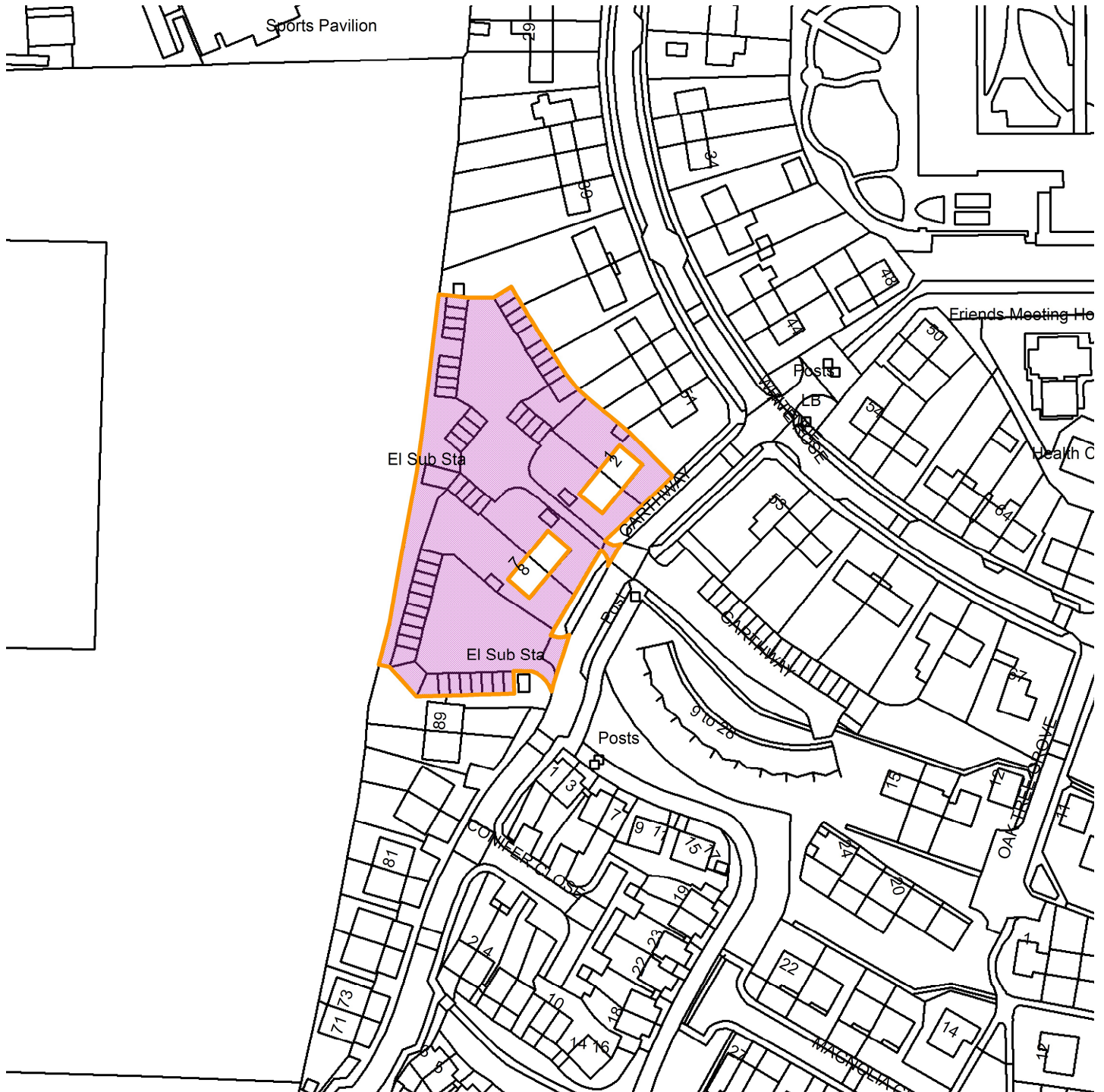
Tel No: 01904 551347

Land To The West Of 1 To 8 Garthway New Earswick

22/00440/FULM



GIS by ESRI (UK)



Scale : 1:1494

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Produced using ESRI (UK)'s MapExplorer 2.0 - <http://www.esriuk.com>

Organisation	City of York Council
Department	Env, Transport & Planning
Comments	Site Location Plan
Date	18 November 2024
SLA Number	Not Set

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Planning Committee B

22/00440/FULM

Land To The West Of 1 To 8 Garthway New Earswick

Existing site plan



- NOTES**
- All alterations and works are to be checked on site.
 - Any developments are to be reported to the Urban & Regeneration Directorate and any work carried out.
 - This drawing shall not be used to construct any alterations, other than those shown on this drawing.
 - This drawing shall not be reproduced without written permission from Shaw & Jagger Architects Ltd.
 - The accuracy of the drawing and any other information is provided for the use of the client and is not intended to be used for any other purpose.

APPLICATION BOUNDARY
 ————
NEW EARSWICK CONSERVATION AREA BOUNDARY
 - - - - -

REV	DATE	BY	CHKD
1	2022/02	MMG	MMG

EXISTING LEVELS ADDED TO DRAWING.

DRAWING STAGE: PLANNING

DRAWING STATUS: FOR APPROVAL

CLIENT: JOSEPH ROJUNTREE L141 15/16 THE BKT

PROJECT: NEW DWELLINGS GARTHWAY WEST NEW EARSWICK

DRAWING TITLE: EXISTING SITE PLAN

DATE: FEB '22 DRAWN: MMG

SCALE: 1:500 @ A3 CHECKED: FS

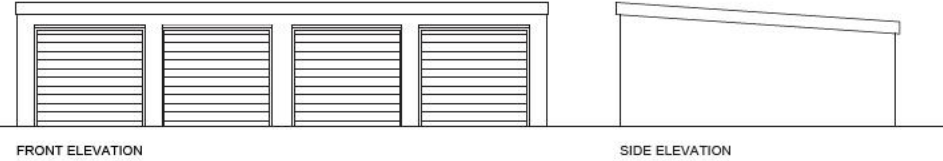
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Job No: 403/02 DWG No: (02) 002 A Rev: A



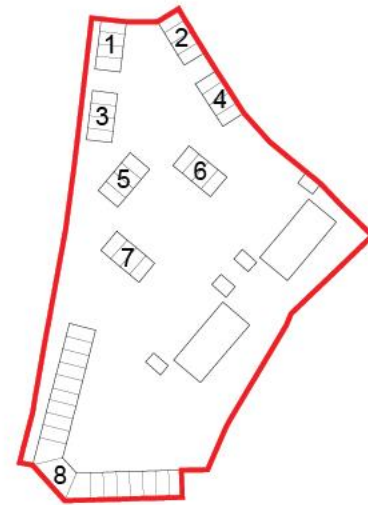
Existing garage blocks

GARAGE BLOCKS 1 - 7



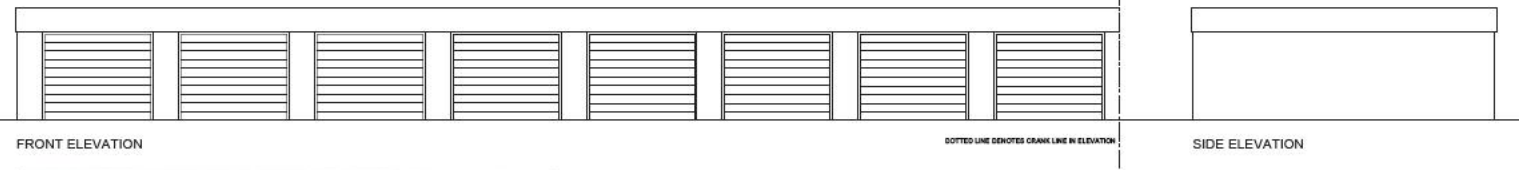
EXISTING SITE PHOTO

EXISTING GARAGE BLOCK I.D.



- NOTES**
- All dimensions and levels are to be checked on site.
 - Any discrepancies are to be reported to the client & Jagger Architects Ltd before any work commences.
 - This drawing shall not be used to construct any structure. Use is for reference only.
 - This drawing shall not be reproduced without express written permission from Shaw & Jagger Architects Ltd.
 - This drawing, design and detailing constitutes an intellectual property of Shaw & Jagger Architects Ltd. It is the responsibility of the client to ensure that any third party is aware of this.

GARAGE BLOCK 8



EXISTING SITE PHOTO

drawing stage	PLANNING
drawing status	FOR APPROVAL
client	JOSEPH ROULANT REE HIGH RISK TRUST
project	NEW DWELLINGS GARTHWAY WEST NEW EARSWICK
drawing title	EXISTING GARAGES

date	FEB '22	drawn	MMG
scale	1:100 @ A3	checked	FS

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job No	DWG No	Rev
403/02	(02) 010	#

Proposed site plan



HOUSING PROPOSED
6no. 3 BED SEMI-DETACHED
8no. 2 BED TERRACES

PARKING
PARKING FOR HOUSES (ON LAND
ALLOCATED TO HOUSE)
1 SPACE: 2B4P / 2 SPACES: 3B/5P
20 SPACES

EXTERNAL PARKING
6 SPACES

TOTAL: 26 SPACES

- NOTES**
- All dimensions and levels are to be checked on site.
 - Any dimensions are to be applied to the lines & angles shown on drawings in any such construction.
 - This drawing shall not be used to construct any other works, work to be done or any other work.
 - This drawing shall not be reproduced without express written permission from Shaw & Jagger Architects Ltd.
 - This drawing and any other drawings are provided as a guide only. The client is responsible for the accuracy of the information on these plans.



rev	date	drawn	checked
1	21/04/22	MMG	EJ

LEVELS INFORMATION HIGHLIGHTED

rev	date	drawn	checked
11	17/05/23	MMG	EJ

UPDATED PFL'S TO COINCIDE WITH UPDATED DRAINAGE INFO

rev	date	drawn	checked
12	14/01/23	MMG	EJ

BIKE STORE RELOCATED TO REAR OF DWELLINGS

rev	date	drawn	checked
7	24/01/23	MMG	EJ

SOUTHERN VEHICLE ENTRANCE PROPOSED AS RADIAL

rev	date	drawn	checked
2	04/01/23	MMG	EJ

NEW SITE LAYOUT FOLLOWING LA FEEDBACK

rev	date	drawn	checked
3	03/06/22	SP	FS

HIGHWAYS & PARKING AMENDMENTS MADE FOLLOWING RECEIPT OF COMMENTS FROM HIGHWAYS

rev	date	drawn	checked
C	14/05/22	MMG	EJ

HIGHWAYS & PARKING AMENDMENTS IDENTIFIED.

rev	date	drawn	checked
B	24/05/22	MMG	EJ

PROPOSED PFL'S ADDED.

rev	date	drawn	checked
A	27/04/22	MMG	FS

ROAD LAYOUT REVISED FOLLOWING REFUSE VEHICLE TRACKING ANALYSIS. BIN COLLECTION POINT SHOWN TO SOUTHERN VEHICLE COURTYARD - TO SERVE PLOTS 1-6.

drawing stage: PLANNING
drawing status: FOR APPROVAL

client
JRHT JOSEPH ROUJNTREE HOUSING TRUST

project
NEW DWELLINGS
GARTHWAY WEST,
NEW EARSWICK

drawing title
PROPOSED SITE PLAN

date JAN '22 **drawn** MMG
scale 1:500 @ A3 **checked** FS

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Job No 403/02 (02) 003 I **DWG No** **Rev**

Proposed elevations 2 bed house type



FRONT



SIDE 1



REAR



SIDE 2

- NOTES**
- All dimensions and levels are to be checked on site.
 - All dimensions are to be taken to the outer face of brick & gable.
 - The drawing shall not be taken to indicate any dimensions. Work to signed dimensions only.
 - The drawing shall not be reproduced without express written permission from Shaw & Jagger Architects Ltd.
 - The builder shall ensure that any work is carried out in accordance with the Building Regulations and all applicable standards. Shaw & Jagger Architects Ltd cannot be held responsible for the quality or workmanship of any work carried out.

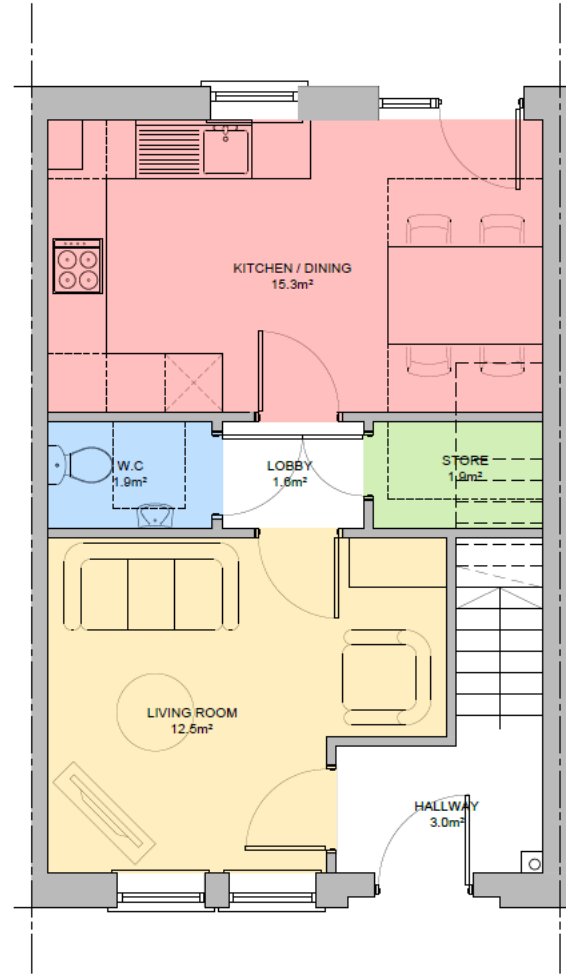
- MATERIALS KEY**
1. WALL: FACING BRICK
 2. ROOF: PAN TILE
- WALL-MOUNTED ELECTRIC CAR CHARGING PORT POSITION, WHERE FEASIBLE

REV	DATE	BY	CHKD
1	06/03/23	MMG	EJ
BRICK-BUILT SECURE BIKES & GARDEN STORE NO LONGER ADJOINING DWELLING			
2	06/03/23	MMG	EJ
REVISED LAYOUT IN LINE WITH REVISED SITE LAYOUT.			
drawing stage		PLANNING	
drawing status		FOR APPROVAL	
client			
JRHT JOSEPH ROUNTREE HOUSING TRUST			
project			
NEW DWELLINGS GARTHWAY WEST NEW EARSWICK			
drawing title			
PROPOSED ELEVATIONS HOUSE TYPE A 2B4P			
date	JAN '22	drawn	MMG
scale	1:100 @ A3	checked	FB

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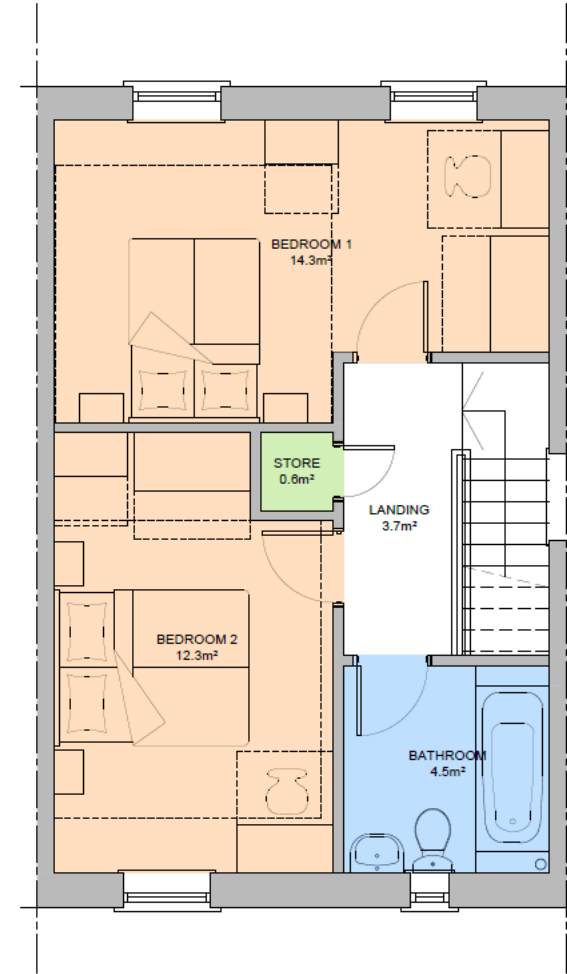
Job No: 403/02 (02) 200 B
DWG No: Rev: B

Proposed floor plans 2 bed house type



GROUND FLOOR

2B4P - 79.1m²
HOUSE TYPE A



FIRST FLOOR

- NOTES
- All dimensions and levels are to be checked on site.
 - Any discrepancies are to be reported to the client by the date of Jagger Architects Ltd before any work commences.
 - This drawing shall not be used to authorize any dimensions, work or material dimensions only.
 - This drawing shall not be reproduced without written permission from Shaw & Jagger Architects Ltd.
 - The survey drawings and general technicalities are produced under all reasonable conditions. Shaw & Jagger Architects Ltd cannot be held responsible for the accuracy or scale discrepancy of these drawings.

NDSS CHECKLIST

- a. Min. GIA of 79.0m² and built-in storage of 2.0m² (2B4P)
- b. Min. one double (or twin) bedroom.
- c. Single bedroom floor area min. 7.5m² and min. 2.15m wide.
- d. Double (or twin) bedroom floor area min. 11.5m²
- e. One double (or twin) bedroom is min. 2.75m wide, every other double (or twin) bedroom min. 2.55m wide.
- f. Any area with headroom less than 1.5m is not counted within GIA unless solely used for storage.
- g. Any other area used solely for storage and has headroom of 900-1500mm (such as under eaves) is counted at 50% of its floor area. Any area lower than 900mm is not counted.
- h. Built-in wardrobe counts towards GIA and bedroom floor requirements, but it should not reduce effective width of room below min. widths set out above. Built-in area in excess of 0.72m² in double bedroom and 0.36m² in single bedroom counts towards built-in storage requirements.
- i. Min. floor to ceiling height is 2.3m for at least 75% of GIA.

Rev	Date	Drawn	Checked
A	04/10/23	MMG	EJ

REVISED LAYOUT IN LINE WITH REVISED SITE LAYOUT.

Drawing stage: PLANNING

Drawing status: FOR APPROVAL

Client: **JRHT** JOSEPH ROUJNTREE HOUSING TRUST

Project: NEW DWELLINGS GARTHWAY WEST NEW EARSWICK

Drawing title: PROPOSED FLOOR PLANS HOUSE TYPE A 2B4P

Date	JAN '22	Drawn	MMG
Scale	1:50 @ A3	Checked	FB

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Job No: 403/02 (02) 100 A

Proposed elevations 3 bed house type



FRONT



SIDE 1



REAR



SIDE 2

- NOTES**
- All alterations and works are to be checked on site
 - Any discrepancies are to be reported to the client & Jagger Architects Ltd within 10 working days
 - The design shall not be subject to alteration or modification, save to agreed alterations only
 - This drawing shall not be reproduced without express written permission from Shaw & Jagger Architects Ltd
 - This elevation drawing and associated information are intended solely as illustrative information. Shaw & Jagger Architects Ltd cannot be held responsible for the accuracy or completeness of these plans.

- MATERIALS KEY**
1. WALL: FACING BRICK.
 2. ROOF: PAN TILE.
- WALL-MOUNTED ELECTRIC CAR CHARGING POINT POSITION, WHERE FEASIBLE

REV	DATE	DRAWN	CHECKED
A	05/03/22	MMG	FS

BRICK-BUILT SECURE BIKE & GARDEN STORE NO LONGER ADJOINING DWELLING.

drawing stage: PLANNING

drawing status: FOR APPROVAL

client: **JRHT** JOSEPH ROUNTREE HOUSING TRUST

project: NEW DWELLINGS GARTHWAY WEST NEW EARSWICK

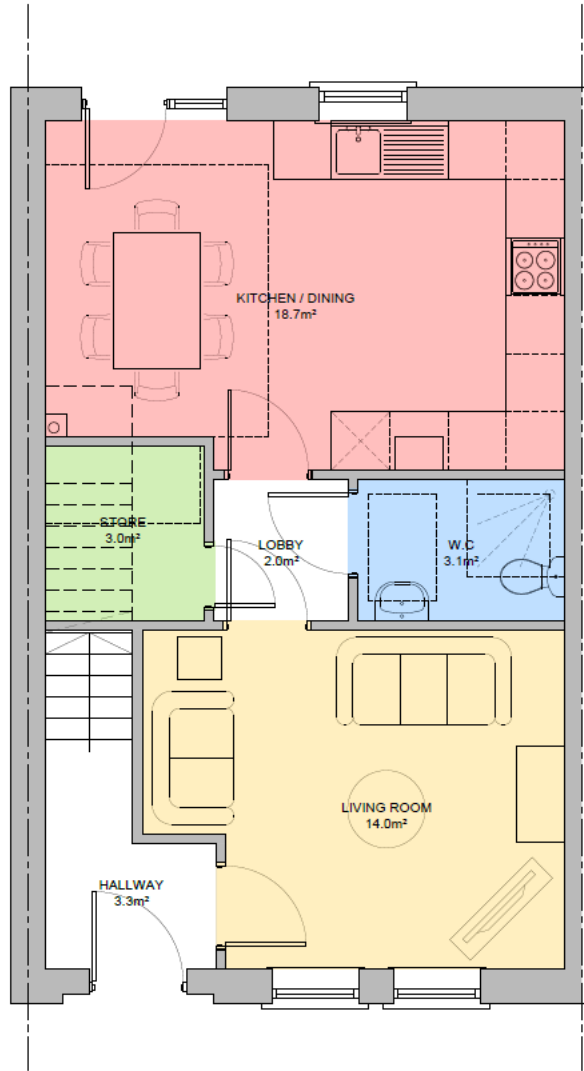
drawing title: PROPOSED ELEVATIONS HOUSE TYPE B SBSP

date: JAN '22 drawn: MMG scale: 1:100 @ A3 checked: FS

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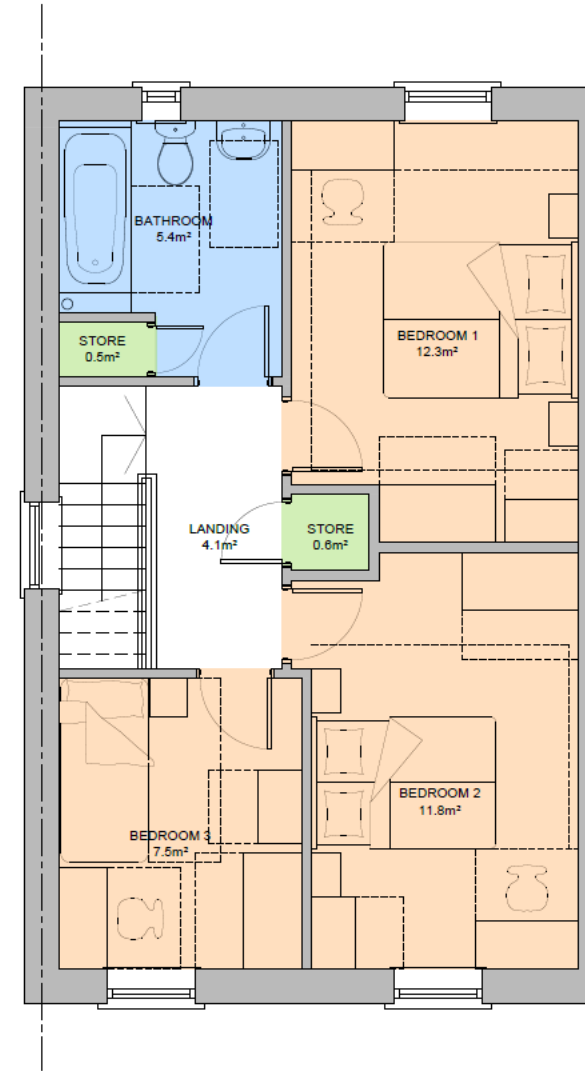
Job No	DWG No	Rev
403/02	(02)	201 A

Proposed floor plan 3 bed house type



GROUND FLOOR

3B5P - 93.6m²
HOUSE TYPE B



FIRST FLOOR

- NOTES**
- All dimensions and levels are to be checked on site.
 - Any discrepancy as to be reported to the Shaw & Jagger Architects Ltd before any work commences.
 - This drawing shall not be used to ascertain any dimensions, work or specifications on site.
 - This drawing shall not be reproduced without express written permission from Shaw & Jagger Architects Ltd.
 - The survey drawings and details to be used are produced using all reasonable care and skill. Shaw & Jagger Architects Ltd shall not be held liable for any errors or omissions.

- NDSS CHECKLIST**
- a. Min. GIA of 79.0m² and built-in storage of 2.5m³ (3B5P)
 - b. Min. one double (or twin) bedroom.
 - c. Single bedroom floor area min. 7.5m² and min. 2.15m wide.
 - d. Double (or twin) bedroom floor area min. 11.5m²
 - e. One double (or twin) bedroom is min. 2.75m wide, every other double (or twin) bedroom min. 2.55m wide.
 - f. Any area with headroom less than 1.5m is not counted within GIA unless solely used for storage.
 - g. Any other area used solely for storage and has headroom of 900-1500mm (such as under eaves) is counted at 50% of its floor area. Any area lower than 900mm is not counted.
 - h. Built-in wardrobe counts towards GIA and bedroom floor requirements, but it should not reduce effective width of room below min. widths set out above. Built-in area in excess of 0.72m² in double bedroom and 0.36m² in single bedroom counts towards built-in storage requirements.
 - i. Min. floor to ceiling height is 2.3m for at least 75% of GIA.

Drawing stage: PLANNING
 Drawing title: FOR APPROVAL
 Client: JOSEPH ROJUNTREE HOUSING TRUST
 Project: NEW DWELLINGS GARTHWAY WEST NEW EARBWICK
 Drawing title: PROPOSED FLOOR PLANS HOUSE TYPE B 3B5P
 Date: JAN '22 Drawn: MMG
 Scale: 1:50 @ A3 Checked: FS

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Job No: 403/02 (02) 110 #



VIEW 1 - GENERAL SITE OVERVIEW LOOKING NORTH-WEST



NOTES

- All dimensions and levels are to be checked on site.
- All dimensions are to be checked to the Outer Edge of Asphalt/Concrete etc. not corners.
- The drawing shall not be construed as a guarantee of any dimensions. Work to Square dimensions only.
- The drawing shall not be reproduced without express written permission from Shaw & Jagger Architects Ltd.
- The drawing design and working includes all practical using all reasonable dimensions, shall be larger preferred. It shall be responsible for the accuracy of the drawings of the drawings.



VIEW 2 - LOOKING NORTH WEST FROM BETWEEN EXISTING APARTMENTS



VIEW 3 - VIEW OF SOUTH OF SITE



VIEW 4 - FROM THE NORTH-EAST, LOOKING SOUTH-WEST



VIEW 5 - REAR OF DEVELOPMENT LOOKING NORTH-EAST

no	date	drawn	checked
S	05/02/23	MWG	EJ
BRICK-BUILT SECURE BIKE STORES MOVED TO REAR.			
no	date	drawn	checked
A	04/11/23	MWG	EJ

JRHT JOSEPH ROJUNTREE HOUSING TRUST

project: NEW DWELLINGS GARTHWAY WEST NEW EARSWACK

drawing title: PROPOSED CGI

date	drawn	checked
JAN '22	MWG	FB
scale	NTS	



Job No: 403/02 (02) 300 B