

COMMITTEE REPORT

Date: 1 September 2022 **Ward:** Guildhall
Team: East Area **Parish:** Guildhall Planning Panel
Reference: 22/00788/FUL
Application at: Minster Stoneyard 4 Deangate York YO1 7JA
For: Redevelopment of Stoneyard, including demolition of mason's workshop, erection of roof structure and mezzanine floor and reordering of existing buildings and uses to provide internal and external workshops, storage and offices
By: Mr Alexander McCallion
Application Type: Full Application
Target Date: 7 June 2022
Recommendation: Approve

1.0 PROPOSAL

- 1.1 The proposed development consists of the redevelopment of the existing Minster Stoneyard including demolition of the mason's workshop, erection of a roof structure and mezzanine floor and re-ordering of the existing building and uses to provide internal and external workshops, storage and office space.
- 1.2 The application site is located on the south eastern side of Deangate. The site is roughly triangular in its form. The buildings on Deangate enclose an existing internal space which is currently occupied by a selection single storey structures. Access to the premises is via gateways located on Deangate. The site backs onto the terrace of buildings which front Goodramgate.
- 1.3 The application site sits just outside of the York Minster Cathedral Precinct Scheduled Monument. The site is within the Central Historic Core Conservation Area and a number of the adjacent buildings which front Goodramgate are Listed Buildings. The application site itself is not listed.
- 1.4 An associated Listed Building Consent application is also considered within this agenda - 22/00789/LBC. The LBC application relates to the same proposal and site as this planning application. Whilst the application site itself is not listed, the LBC application is necessary as part of the works proposed

require the lifting of an existing party wall with one of the neighbouring properties which front Goodramgate; it is the neighbouring property that is the Listed Building.

- 1.5 Also of relevance are applications 22/00803/FUL and 22/00804/LBC which relate to proposals at The Deanery which is situated approximately 250m to the North West of this application site and is accessed off Minster Yard. These applications are of relevance as they include proposals which, along with those proposed at the Stoneyard form part of the Centre of Excellence for Heritage Craft Skills and Estate Management concept that the Minster is pursuing.
- 1.6 The proposals within the Stoneyard will facilitate the installation of a new 5 Axis CNC saw, new band saw and new stone lifting system to assist with reinforcing the supply of stone for the precinct. This element is referred to as the Technology Hub. The proposals at the Deanery intend to deliver a facility which better brings together the community of craftspeople and associated trades required in the precinct – including masons, scaffolders, gardeners, apprentices and researchers. This aspect of the proposals is referred to as the Heritage Quad.
- 1.7 The Centre of Excellence is intended to begin addressing the long-standing heritage skills shortage, which is not only felt by the Minster but also other institutions across the country and globally. Whilst the Minster's stoneyard is already internationally renowned, current facilities are constrained and inadequate for the long term task of sustaining the skills required to conserve heritage assets. The intention of the applicant is to enhance their own in-house skills and capabilities to the benefit of their own estate; but also, to introduce a commercial element which will allow those skills to be traded with other similar institutions globally.

2.0 POLICY CONTEXT

- 2.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise (section 38(6) Planning and Compulsory Purchase Act 2004).

- 2.2 Section 66 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.
- 2.3 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention be paid to the desirability of preserving or enhancing the character and appearance of the Conservation Area.
- 2.4 The Statutory Development Plan for the City of York comprises the saved policies and key diagram of the otherwise revoked Yorkshire and Humber Plan Regional Spatial Strategy (2008) and any made Neighbourhood Plan.

National Planning Policy Framework (2021)

- 2.5 The National Planning Policy Framework sets out the Government's overarching planning policies and at its heart is a presumption in favour of sustainable development. For decision making this means; 'approving development proposals that accord with an up-to-date development plan without delay'; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
- The application of policies in this framework that protect areas or assets of particular importance provides clear reason for refusing the development proposed; or
 - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
- 2.6 Paragraph 38 advises that local planning authorities should approach decisions on proposed development in a positive and creative way and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

- 2.7 Paragraph 130 states 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.
- 2.8 The NPPF also places great importance on good design. Paragraph 132 says that design quality should be considered throughout the evolution and assessment of individual proposals. Paragraph 134 says that permission should be refused for development that is not well designed. Especially where it fails to reflect local design guidance and supplementary planning documents.

York Minster Precinct Neighbourhood Plan

- 2.9 The York Minster Precinct Neighbourhood was adopted on 16th June 2022. The Neighbourhood Plan now forms part of the statutory development plan for the City of York. Therefore applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant policies within the Neighbourhood Plan are:

- A1 – Purpose and Ambition
- A2 - Sustainable Development
- A3 – Spatial Plan
- A4 – Design Excellence
- C1 – Historic Environment
- C2 – Listed Building Consent
- C3 – Archaeology and Scheduled Monument Consent
- D1 – Wellbeing

Publication Draft Local Plan 2018

2.10 The Publication Draft City of York Local Plan 2018 ('2018 Draft Plan') was submitted for examination on 25 May 2018. Phase 1 of the hearings into the examination of the Local Plan took place in December 2019. Phase 2 of the hearings concluded in May 2022 with Phase 3 concluded in July 2022. Phase 4 hearings are due to commence September 2022. In accordance with paragraph 48 of the NPPF the Draft Plan policies can be afforded weight according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the previous NPPF published in March 2012. (NB: Under transitional arrangements plans submitted for examination before 24 January 2019 will be assessed against the 2012 NPPF).

2.11 Relevant Policies

D1 Placemaking

D4 Conservation Areas

D5 Listed Buildings

D6 Archaeology

T1 Sustainable Access

ENV2 Managing Environmental Quality

Development Control Local Plan 2005

2.12 The York Development Control draft Local Plan was approved for development control purposes in April 2005. Its policies are material considerations in the determination of planning applications although it is considered that their weight is limited except when they are in accordance with the NPPF.

3.0 CONSULTATIONS

CYC Urban Design & Conservation

3.1 No Comments received at the time of writing.

CYC Archaeology

3.2 No objections raised. Whilst it is envisaged that the majority of the works will have little to no impact on the most significant archaeological deposits. However

features such as deep foundations have the potential to disturb early medieval and Roman levels. As a result an archaeological watching brief will be necessary; in the event of more significant archaeological levels being revealed a hand-dug archaeological excavation will be required. It is therefore recommended that in the event of planning permission being granted that conditions be attached.

CYC Public Protection

3.3 No objections raised but request a series of conditions to cover matters relating to noise, construction noise and dust and contaminated land.

CYC Highways

3.4 No objections subject to suitable cycle parking provision being provided at the Heritage Quad.

External

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3.5 Raised concerns over the impact of the outlook from properties on Goodramgate. In particular the long blank grey coloured wall which is out of keeping in character and size with the buildings on Goodramgate. Perhaps deleting the grey panelling and thus reducing the overall height of the roof would improve matters.

Historic England

3.6 No objections raised and are supportive of the principle and ambition behind the proposals. The success of the scheme will depend upon the detailing of the scheme. Matters such as glazing details, samples of the PV array and standing zinc seems should be discussed and agreed to the satisfaction of your in house conservation advisers. The updated Archaeology information address the concerns we initially raised and we are comfortable to defer to the Local Authority in house expertise.

4.0 REPRESENTATIONS

4.1 The application has been advertised via neighbour notification letter, site notice and local press notice. A total of 3.no letters of objection have been received. A total of 2.no letters of support have been received.

Summary of Objection comments received

4.2 The objections received can be summarised as follows:

- The proposals would have a devastating impact on business.
- Our existing roof terrace will become unusable during construction work which could amount to an approximate 50% loss in turn over which place the business into debt.
- The construction will overshadow the rear of the roof terrace and destroy the iconic view of the Minster leading once again to a loss of trade.
- The design of the building is not in keeping with the ancient buildings that adjoin it or the surrounding area.
- It is one of the country's most important conservation areas and the height and materials are not acceptable.
- The proposals adverse impact on the setting of the listed buildings on Goodramgate is clearly demonstrated.
- Several heritage assets would be harmed by the proposed roof structure.
- The proposals would be contrary to various policies within the York Local Plan.
- The heightened roof design seems in large part to be for aesthetic purposes rather than practical purposes. Therefore the need for this specific design, which accentuates the harm done by the modern roof structure is questionable.

Summary of Support Comments received

4.3 The comments of support received can be summarised as follows:

- The proposals are one of the principal components of the York Minster Neighbourhood Plan.
- At the heart of the project is an ambitious and unflinching commitment to sustainability; protecting heritage craft skills, creating learning opportunities and a willingness to embrace modern technology.
- The buildings have been designed with sustainability at their heart.
- The proposals respect the Minster, its history and underpin its core purpose as a centre for worship, mission and teaching, whilst furthering its commitment to sharing knowledge and training across the North and across the world.
- The plans seek to increase opportunities for collaboration and learning with other heritage institutions; and the project is already establishing strong international partnerships – which can only be a good thing economically, culturally and socially for the Minster, York and the wider City Region.
- It demonstrates that promoting sustainability and tackling climate change can sit comfortably alongside heritage protection.
- Through the generous support of York Minster Fund, this project is fully funded and can be operational quickly.

- This is a once in a generation opportunity to safeguard the future of heritage skills in York.
- The National Trust owns and manages a number of local properties within the vicinity of the application sites, including Treasurers House, the National Trust Shop, holiday accommodation and commercial shops on Stonegate. Consequently, National Trust has an interest in how the area is to be developed.
- National Trust considers the proposals to be an improvement on present facilities. They will allow the craft teams to enhance their skills and grow heritage training opportunities.
- The proposals will also allow for greater opportunities for visitor engagement and highlighting the craft skills at York Minster.
- National Trust are currently developing Specialist Skilled Centres for Masonry and Joinery work across the North region and we believe that these would greatly benefit from having a high quality York Minster Centre of Excellence.

5.0 APPRAISAL

5.1 KEY ISSUES:

- Principle of Development
- Impact Upon Heritage Assets
- Access & Highways
- Design and Impact upon neighbouring amenity
- Public Benefit

Principle of Development

- 5.2 The proposed development, in broad terms, will see the remodelling of the existing Stoneyard. The works will include the provision of a new roof which will in turn facilitate the installation of new equipment within the stoneyard.
- 5.3 The Minster Precinct Neighbourhood Plan (“NP”) was adopted on 16th June 2022. At which point it became part of the adopted development plan for the city. Therefore applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 5.4 The overarching purpose and ambition of the Minster NP is for York Minster and its precinct to ‘fulfil its ordained purpose as a Metropolitan Cathedral, a centre of worship and mission, and to maintain and enhance its role as a

cultural lynchpin in the City of York and a home to many residents and businesses.’ The NP is intended to guide and inform development proposals and the management of the Minster and its Precinct.

- 5.5 Policy A2 of the Minster NP promotes a presumption in favour of sustainable development, in line with the NPPF. In the context of the NHP these objectives consist of:
- 5.6 Economic – the Minster needs to be financially sustainable to pay for the running and restoration of the Minster and its Precinct. The quality of the Precinct environment and its visitor welcome supports the economic wellbeing of other businesses within the Neighbourhood Area. Social – to offer community access and a safe and welcoming Precinct with accessible public green space which contributes to the social health and cultural wellbeing of the city. Environmental – to contribute to protecting and enhancing the natural and historic environment and character of the Neighbourhood Area. To contribute to improving biodiversity, minimising waste and pollution and reducing the carbon footprint over the Plan period.
- 5.7 In the case of this current application. The application site is not located within one of the four defined project areas. As such the general policies of the NHP (Policies A-F) apply and support the delivery of enhancements to the Precincts public realm, green infrastructure and buildings to create a world class series of spaces and places.

Emerging Local Plan (2018)

- 5.8 The application site is not located within specific allocations, such as defined housing site, employment site or primary shopping area. As such there are no policies within the emerging Local Plan which would specifically restrict or raise in principle issues to the proposed development.

The Centre of Excellence

- 5.9 The applicant wishes to establish a Centre of Excellence for Heritage Craft Skills and Estate Management within the Minster Precinct. The proposals are focussed around a campus style facility. The vision for the Centre of Excellence is a key element of the Minster Precinct NHP. The aim is to create a world class campus for research, education and training in ancient craft skills

that are vital to the ongoing cycle of repair, restoration and conservation and development of York Minster and other ancient buildings.

- 5.10 The intention is to develop and nurture the specialist skills that are required to maintain the Minster and its precinct. These skills and expertise can then be shared outside of the Precinct to the benefit of the Minster and other institutions.
- 5.11 Overall it is considered that, in principle, the development proposals would accord with the provisions of the NPPF, policies contained within the Minster Precinct NHP and the emerging Local Plan. This subject to all other material considerations being considered to be acceptable; matters which are discussed later in this report.

Impact upon Heritage Assets

- 5.12 As set out earlier in this report. The application site is located within the Central Historic Core Conservation Area. The site is also within a designated Area of Archaeological Importance. In addition to this the site is immediately adjacent to the designated Scheduled Monument which comprises of York Minster Cathedral precinct. Finally, there are a number of Listed Buildings, of varying grades within the immediate vicinity of the site. All of which are heritage assets.
- 5.13 Paragraph 189 of the NPPF states: 'Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These 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.' The Central Historic Core Conservation Area Appraisal identifies the application site as being a building of merit.
- 5.14 In assessing the proposals and determining applications there is a need under paragraph 197 of the NPPF to take account of; the desirability of sustaining and enhancing the significance of the heritage assets and putting them to viable uses consistent with their conservation. The positive contribution that conservation of heritage assets can make to sustainable communities

including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.

- 5.15 Paragraph 199 of the NPPF states: ‘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. Policies D4 and D5 of the Draft Local Plan make similar provisions. The duties placed upon the LPA under sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 are also relevant (as set out at 2.2 and 2.3 above).
- 5.16 It is important to consider that potential impacts can take a number of differing forms. There are physical impacts such as those which can occur because of the provision of new buildings or changes to existing buildings and built forms. However, impacts can also be felt in more sensory terms, these can be as result of a change in how a building or space is used; this may introduce new noises which change the existing ambiance of the built environment.
- 5.17 The existing Stoneyard comprises of a broadly triangular arrangement of buildings. The frontage to Denagate is enclosed by a two storey brick building which runs parallel to Deangate; internal views into the yard are limited to views through the existing arched gateways, which are only open when required. The South/South Western flank of the site is enclosed by another two/three storey building which creates a built boundary with the neighbouring former Minster Song School site. Much of the Eastern elevation is enclosed by the neighbouring properties which front Goodramgate. At the North Eastern most point of the site some glimpsed views into the site are available by virtue of the space between the application site and the neighbouring Cross Keys public house and its courtyard. These built features create a triangular void within the site. This is currently filled with varying workshops which have accumulated in a piecemeal manner over the course of the 20th Century. Aerial images of the site show a mixture of roof forms and roof finishes typically of corrugated and profile sheet form.
- 5.18 As part of the information submitted the applicants have undertaken a Heritage Impact Assessment (HIA). This has identified that the proposals have the potential to affect the character and appearance of the York Central

Historic Core Conservation Area. The rear boundary walls of 36 and 38 Goodramgate (curtilage listed, Grade II) and the significance of 4-6 Deangate as non-designated heritage assets. Furthermore the HIA has identified that the proposals have the potential to affect the setting of The Minster (Grade I and Scheduled Ancient Monument), The Cross Keys (Public House) and attached yard, gateway and wall (Grade II), 7 Minster Yard (Grade II), 6 Minster Yard (Grade II*) and various Grade II listed properties lining the west side of Goodramgate.

- 5.19 The design of the proposals has been conceived with the stonemasons and contemporary best practice. The works will allow for the provision of a track system which can collect stone from Deangate for distribution throughout the building and storage on a racking system. Stone would be cut using the large wire saw or CNC machine before being transferred to the Heritage Quad (22/00803/FUL). The proposals have been designed to accommodate the functional requirements of the equipment. The lifted roof will create an open-plan space. The geometry of the roof is intended to limit the impact upon views, optimise structural efficiency and its orientation to gather solar energy.
- 5.20 The yard would retain a sense of openness and glimpsed views of the Minster. The rear elevation of 4 Deangate would be revealed in full from within the workshop. The gable end of the new workshop would be visible from Deangate (NE Elevation). At this point the proposed roof is at its smallest segment with the elevation being heavily glazed and using a timber frame.
- 5.21 The proposed alterations focus in areas of low significance – the rear elevation of 4-6 Deangate and the 20th Century infill. This minimises impact upon more sensitive areas of the Precinct. Given the use of the site would remain the same, albeit with upgraded machinery, there would be a negligible increase in noise and sound and therefore the impact of these environmental factors on the conservation area and setting of listed buildings would be neutral.
- 5.22 The removal of the 20th Century workshops and glazier's staircase, which are not considered to be of any historic significance would cause no harm to 4-6 Deangate. Rather it would remove what is currently a somewhat ramshackle series of buildings from the centre of the yard – which have evolved in a piecemeal fashion, most which detract in views of the Minster from the properties on Goodramgate, those of the Minster looking down into the site

and in glimpsed views from Deangate. The proposals would create a more visually coherent built form.

- 5.23 As part of the works it is also necessary to extend the existing boundary walls of 36 and 38 Goodramagte. These works would utilise matching materials and therefore would not give rise to any harm being caused to the significance of these buildings.
- 5.24 Externally the most prominent feature of the development will be the glazed northeast elevation. The new roof would also be visible from the rear of the properties which front Goodramgate. The HIA has concluded that the impact of the proposals upon properties on Goodramgate would be low to moderate adverse. This is primarily due to the fact that the height of the roof increases and as a result leads to a narrowing of views from these properties. However, the extent of this impact is not considered to be significant. Views of the Minster would still be available.
- 5.25 The proposals would give rise to a degree of harm by virtue of the elements of demolition and also the impact upon views both views of the proposed development but also views of other heritage assets. However these impacts would be considered to be less than substantial and would be at the lower end of less than substantial.
- 5.26 Historic England have reviewed the proposals and do not raise any objections to the proposals. Noting that they are strongly supportive of the aims and ambitions behind the proposals. They also state that they consider the design proposals to be well considered and subject to appropriate detailing have the potential represent a creative and attractive intervention.
- 5.27 In cases where the level of harm is assessed as being less than substantial paragraph 202 of the NPPF is of relevance; this states 'Where a development 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.'
- 5.28 The public benefits are considered later in this report.
- 5.29 As the proposals would be considered to cause a degree of harm to the character and setting of multiple designated heritage assets, the proposals

would be contrary to policies D4 and D5 of the DLP 2018 unless the harms are outweighed by public benefits; which are discussed later in the report.

Archaeology

- 5.30 The application site is located within the defined Area of Archaeological Importance as well as being located in close proximity to the Scheduled Monument area that is the Minster Precinct. Therefore in this context it is considered that there is the real possibility for material of archaeological significance or interest to be present on the site. Given the nature of the proposed development there is the risk that any such material which may be present at the site could be disturbed as the development will necessitate intrusive ground works.
- 5.31 Paragraph 194 of the NPPF requires: 'Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation'.
- 5.32 In their first set of comments Historic England had cited concerns with regard to the lack of archaeological supporting information submitted in support of the application. The applicant has now provided this information to the satisfaction of Historic England, removing their initial concerns.
- 5.33 The City Archaeologist has reviewed the submitted details and raises no objections to the proposals. They note that in the early 1980s the stoneyard was upgraded which included the installation of a reservoir slurry tank which required substantial excavation. Later in 1986 a watching brief within the yard recorded stone and brick foundation walls at depths no more than 1m. Finally, in 2010, a further watching brief was undertaken whilst the floor was lowered for the creation of a new substation. These revealed remains of previously demolished buildings.
- 5.34 In this case it is envisaged that the majority of work for the scheme is likely to have little impact on the most significant archaeological deposits/features that exist in the area. However, the deepest impact generally relating to the foundations required have the potential to disturb early medieval and Roman levels. The amount of foundations and deeper intrusions should be kept to a minimum.

- 5.35 In the event of granting planning permission given the potential of the site to contain archaeological material it is still considered necessary to require an archaeological watching brief be placed on the site during development. Such measures can be secured via condition and would provide a Written Scheme of Investigation under which the development can be monitored and should any archaeological deposits be encountered appropriate measures can be agreed to appropriately record and document any findings.
- 5.36 Subject to the conditions set out above to secure a watching brief over the site it is considered that the proposed development could be undertaken in manner that accords with the provisions of Policy C3 of the Minster NHP, Policy D6 of the 2018 DLP and Section 16 of the NPPF.

Access and Highways

- 5.37 Access to the site would not be changed as part of this development. Access to the site would still be taken from Deangate via the existing archway entrances.
- 5.38 Given that the development proposals will not give rise to a material change in the use of the existing site. Nor will the proposals give rise to a substantial intensification in use of the site over and above the existing. It is not considered that they would give rise to highway safety issues or contribute to significant changes in the overall capacity or flow of the existing highway network. The proposals are therefore considered to accord with policy T1 of the DLP 2018.

Design and Impact on Neighbouring Properties

- 5.39 Policy ENV2 of the DLP 2018 states that development will not be permitted where future occupiers or 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.
- 5.40 The existing use of the site as a stoneyard is already well established. As such the proposals are considered unlikely to introduce new possible sources of disturbance into the surrounding area. The development would see the creation a single consistent roof structure, rather than the existing situation of multiple structures which have amassed over time. This would improve the design of the building in achieving a consistent and coherent appearance.

- 5.41 Having regard to the general design of the proposals. The proposed roof structure would be of a contemporary design and appearance. The main roof would be set within flat roof sections located along each side of the structure. This has allowed the overall height and span of the roof to be kept as low as possible. Whilst also moving the height of the structure away from surrounding properties.
- 5.42 Having regard to the proposed exterior and finishing materials to be used in the development. The submitted information details a range of materials and finishes. Existing brickwork is to be retained and re-pointed and where the boundary wall to Goodramgate needs to be lifted matching brickwork will be used. The roof covering is to be zinc standing seam, this should also creating a visually cohesive appearance with the PV Panels. The proposed materials should achieve a visually acceptable development. However to ensure that this remains the case it is considered appropriate to condition details of the exterior materials and finishes be submitted to and approved in writing by the LPA. This will also include details of the proposed PV panels.
- 5.43 Amongst the representations and comments received objections have been raised with regard to the impact the proposals will have upon the existing properties which front Goodramgate, in particular the existing roof terrace at No.40. which is currently operated as a Café Bar; the roof terrace received planning permission in September 2008. At present the party wall between No.40 and the application site when measured from the roof terrace of No.40 stands to approximately 1.2m. Whilst at No.42 where there is an enclosed yard area, at ground floor level, the party wall is approximately 4.6m tall. The proposals would see these heights maintained at these points along the party wall. As part of the development the party wall is to be increased in height by 1.6m in a section that is to the rear of No.36 Goodramgate resulting in total height of 4.6m to the rear of this property.
- 5.44 The proposals will result in the mass of built increasing and being closer to the neighbouring properties on Goodramgate than the existing situation. The height of the lowest point of the roof span will be approximately 2.5m higher than the existing roof terrace at No.40. However, this height differential is offset to a degree as result of this element being set approximately 2.1m behind the existing line of the party wall as a result of the flat roof inset used around the perimeter of the arched roof. The highest point of the roof would be 4.75 above the existing roof terrace level. However this highest point would be 9.7m away from the roof terrace. The increase in roof height relative to the

roof terrace at No.40 will result in some obscuring of views of the Minster, however this will be limited to views of the Rose Window.

- 5.45 The proposals are not considered to give rise to issues of overlooking or overshadowing which would be harmful to the amenity of the area and neighbouring properties. Nor are the proposals considered to create a development which would appear excessively overbearing. Records indicate that most adjacent properties facing Goodramgate are business premises; only two (38 and 44) indicate that there are residential uses at upper floor levels. Overall the proposals are not considered to impact the amenity or operation of these existing premises.
- 5.46 As part of the assessment of the proposals the Council's Public Protection team have reviewed the proposals. They have not raised any objections to the proposals. They have however requested, in the event of planning permission being granted, that conditions be attached which require details of the plant, machinery and equipment to be installed at the premises are submitted to the LPA for approval along details regarding noise emissions from the equipment. Conditions are also recommended to secure a Construction Environmental Management Plan (CEMP) and an hours of construction condition. However given the scale and nature of the proposed development it not considered that such a condition would be justified. It has also been requested to include a series of conditions relating to contaminated land; these will ensure that the development proceeds in a manner that ensures suitable protections are secured in respect of the potential risk of contaminated land.

Sustainable Design and Construction

- 5.47 Policies CC1 and CC2 of the DLP 2018 both seek to promote sustainable design and construction in new development and promote low carbon energy generation. The overarching aim of both policies is to promote carbon reduction. Sustainability is also a key strand of the adopted Minster NHP with various policies seeking to minimise waste and pollution and reducing the carbon footprint of the estate. The applicant is also seeking to achieve Eco Gold Church Status by 2025.
- 5.48 The proposed development will incorporate a number of measures to reduce its overall carbon footprint. Solar PV panels are proposed on the main roof of the building. The type to be used in this case are thin flexible panels that are applied directly to the roof surface. The design of the roof is such that it is intended to maximise Solar gain to the PV panels. The proposals will also

allow for a significant proportion of rainwater to be harvested, filtered and then but to use for operating the various cutting machines to varying degrees require water to assist with the cutting process. This will see a significant improvement upon the existing situation where much of the rainwater that is harvested is immediately drained off of the site via the existing drainage infrastructure.

5.49 The provision of renewable and low carbon technologies in heritage sensitive locations is a matter of balance between making good use of such technologies whilst also ensuring heritage assets or historic fabric are suitably sustained. The applicants are keen to make sure provision within their projects across the Precinct.

Public Benefits

5.50 In support of the application the applicant has presented a case setting out what they believe to be the public benefits of the scheme. These are as follows:

A Heritage Asset of International Importance

5.51 York Minster and its precinct is of international importance housing the Grade I Listed Minster, a collection of Grade II and Grade II* Listed properties and one of a number of Scheduled Ancient Monuments in the immediate vicinity. The Minster acts as a major tourist attraction in the North of England, but more importantly is a house of prayer, it is a sensitive and highly complicated area of the city for which its future must be planned carefully.

Safeguarding the Minster in the context of declining Craft Skills

5.52 It costs over £22,000 a day to care for and operate York Minster. The Minster receives no ongoing Government funding or central Church of England financial support towards the care of the fabric and relies entirely on the generosity of our community, paying visitors and funding bodies to sustain its care and operations. Much of the craftsmanship is undertaken in the shadow of the Minster, by the Minster craftspeople.

5.53 The Chapter of York has a vision to establish the Precinct as an internationally recognised Centre of Excellence for heritage craft skills focused around a campus facility. This is a critical programme of reimagining and cementing the long term sustainability of the craft skills which must endure to safeguard the care of York Minster for the next century.

- 5.54 Reflecting the current context of declining craft skills, only 10 cathedrals of the 42 Anglican Cathedrals in England continue to have their own dedicated craftspeople. Nearly all of these ten have stoneyards based in very close proximity to the cathedral itself. These ten cathedrals form the foundation of the Cathedrals Workshop Fellowship which have joined together to create a new generation of craftspeople capable of caring for the nation's cathedrals and heritage buildings.
- 5.55 Some, like York, have a full range of trades, whereas others are formed of stonemasons, glaziers, joiners, working closely with plumbers and electricians. The common factor of all yards is that exist solely because of the cathedral.
- 5.56 The loss of skills through retirement is something the Chapter of York are keenly aware of with some of their longest serving members of staff approaching the end of their working careers. Reports from sector led organisations such as Historic England have also highlighted consistent gaps in the supply of craftspeople with a specific background in historic building conservation.
- 5.57 In tandem it is important to think about the future and respond to innovation. The return of historic techniques such as hot lime mortar and the introduction of modern processes and working practices such as digital technology, data scanning and Computer Aided Design have been introduced. Apprentices already receive the very best heritage training but have little exposure to the use of new technologies such as CAD and modern saw technology. Embracing these tools will assist in attracting more apprentices to this important national heritage.

Meeting Wider Neighbourhood Plan Objectives

- 5.58 Aside from safeguarding the restoration of the Minster there are significant other public benefits. Including; creating a world class visitor experience to ensure vital visitor income is sustained. Creating a welcoming precinct. Supporting the day to day life of the in house Minster functions.
- 5.59 It is the applicants view that the proposals offer a once in a generation opportunity to create a Centre of Excellence for the Minster which will not only provide a considerable range of meaningful benefits locally but also nationally and internationally. The new facilities would solidify York Minster as an international centre for heritage excellence. Maintaining and enhancing the facilities also offers opportunities for specialist training which will address the

skills shortage in a unique heritage setting whilst also securing the conservation of the Minster and its Precinct in the long term.

Economic Benefits

- 5.60 The economic benefits of the proposals are far reaching, building upon direct benefits to the Minster and the City of York to solidify York Minster as an international centre for Heritage Excellence. This would be via the creation of partnerships with international institutions including Trondheim, Milan, Cologne and Washington Cathedrals and Singapore University. These will put York on the national and international stage, acting as a focus for craft skills and investment. Partnerships are fundamental to this project and we (the applicant) have already shown that institutions from across the world are eager to be part of this project for the benefit of heritage sectors internationally. The potential connections the city will make through this project are wide ranging. The University of York for example see this as the beginning of a new heritage sector in the City.
- 5.61 Indirect economic benefits brought about through tourism and the enhanced interaction between the public and the stonemasons building on the success of the Masons Lodge on Queens Path. The Minster has a strong track record of engaging visitors to the process of conservation and sustainable heritage.
- 5.62 The project will create additional commercial opportunities allowing work to be done for other heritage bodies across the Country in the future.
- 5.63 Digital technology sits at the heart of the project. The Minster will embrace digital technology as a tool to support the work they do and to train their apprentices. Work with University of York on a range of digital projects has already started. The statue of HM The Queen was created using the technology that will be invested in.
- 5.64 Ensuring dedicated Minster craftspeople, as well as a training facility for training the Cathedrals Workshop Fellowship. This will assist with addressing the national heritage skills shortage – upskilling workers and creating job opportunities across the heritage skills spectrum.
- 5.65 The provision of state of the art facilities for the stonemasons to allow work to be better showcased to potential benefactors to encourage donations for the upkeep of the Minster.

5.66 The sustainable reuse of the existing built form will halt any areas of decline and provide an enduring future which will reduce the need for upkeep allowing funds to spent on other much needed projects elsewhere in the Precinct.

Social Benefits

5.67 Creating The Centre for Excellence for Heritage Craft Skills, leading the way on an international stage for future partnerships and knowledge sharing through Research and Development.

5.68 The creation of buildings that represent the upmost design excellence, reinforcing the precinct's distinctive character utilising innovative design through the use of flexible adaptable buildings; and the provision of dedicated bed spaces for national and international students.

5.69 Building upon the success of the York Minster being the first cathedral to have a Neighbourhood Plan, leading the way in transforming policy and practice in delivering managed change for a heritage asset. Taking the lead from the past, where York Mister has had a dedicated works department since the 11th Century.

5.70 Opening up the Minster's activities to the wider city – the proposals will increase public access to the work of the stonemasons and glaziers, by subtly inviting views into the workshops and encouraging public engagement/interest in the craft. This will enhance the public's understanding of stonemasonry as a craft and the key building material of the Minster and its Precinct.

5.71 Supporting the Minster's ambition to establish the whole of the Precinct as a national and international centre of excellence for heritage craft skills and heritage estate management focused around a campus facility in line with Neighbourhood Plan Objectives.

Environmental Benefits

5.72 Conserves and enhances the internationally acclaimed historic and cultural heritage of York Minster, its Precinct and the Neighbourhood Area. It will also provide a benchmark for new development striving to achieve Eco Gold Church Status by taking a lead on driving the new zero agenda in a restrictive heritage environment.

5.73 Creates a truly sustainable development, through the provision of accommodation on site for apprentices in the heart of the city. Environmental
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sustainability sits at the heart of how the Minster is cared for. Meaningful reuse of materials from the Deanery garages and workshops and the introduction of solar panels contribute considerably to the sustainability of the scheme – aligning with endeavours to mitigate the climate crisis.

Planning Balance

- 5.74 As has been set out in the earlier sections of this report the application site is sensitive, with a number of heritage assets within the vicinity. The proposals will result in a degree of harm being caused to the character, setting and significance, of various designated heritage assets existing within the immediate vicinity of the site and the wider Minster Precinct.
- 5.75 The significance of the Minster and its Precinct to the City of York cannot be underestimated. The Minster itself is one of, if not the most significant building in the city. Its presence over the city centre can be experienced in close quarters but it is also a prominent feature within the views and approaches to the city. The overarching objective has to be to safeguard these assets. It is these assets that form part of city's identity. The proposals within this application would put in place the means to facilitate, grow and sustain this. That is not to diminish the acknowledged harms that the proposals would have in this case primarily the increase in the overall heights of the structure and the impact this then has upon views within the locality. However, it is considered that these harms would in practice be localised and limited to the area of the precinct within which development is proposed.
- 5.76 The proposals within this application and the wider concept of the Centre of Excellence being promoted by the applicant represent a new way of thinking for the applicant and they are seeking to take a proactive approach to the issue of declining skills in this sector. The benefits of this should not be underestimated. They will assist with securing the long-term future of the Minster and the wider precinct. There is also the opportunity to broaden expertise in this field not just within the City but further afield. It could be argued that such outcomes would enhance the Precinct through increasing its standing within the field of Heritage and Craft Skills.
- 5.77 Whilst the proposals may be argued to not be in full conformity with some of the heritage policies within the 2018 DLP; there are other substantial material considerations that are relevant in the context of the NPPF and the Minster NHP. The NPPF is clear that in cases where less than substantial harm is considered to occur that harm must be weighed against the public benefits of

the proposal. Furthermore the proposals would deliver one of the key aspirations set out within the adopted Minster NHP.

5.78 It is considered that on balance the proposals would bring about greater, longer term public benefits not only to the Precinct and the buildings within it but also the city and even other significant historic institutions not only in the UK but also internationally. The proposals would assist with nurturing skills required to maintain historic buildings in the city and also offer an opportunity for the public to better view the work of the stoneyard. These on balance outweigh the harms that would be caused

6.0 CONCLUSION

6.1 Regard is had to the advice within paragraph 199 of the NPPF that when considering the impact of a proposed development on the significance of a designated heritage asset's conservation (and the more important the asset, the greater the weight should be) and to the legislative requirements to give special regard and considerable importance and weight to the desirability of preserving listed buildings and their settings or features of special architectural or historic interest, and paying special attention to the character and appearance of the conservation area. The applicant's public benefits are summarised in the earlier sections of this report above. Whilst it is acknowledged the proposed development will give rise to a degree of less than substantial harm to the setting of the Listed Buildings and the Conservation Area, by virtue of introducing a new form of development. It is on balance, considered that these less than substantial harms would be outweighed by the public benefits; namely the fostering of vital skills important to the upkeep of heritage buildings in the city and the opportunity for these skills to be shared and showcased to the public. The proposals would deliver a very clear objective of the Minster Neighbourhood Plan. The proposals would also facilitate the delivery of the Centre of Excellence for Heritage and Craft Skills.

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:-

Site Location Plan: Drawing No.547-0000-A
Proposed Site Section: Drawing No. 547-0304-A
Proposed Site Section: Drawing No. 547-0303-A
Proposed Site Section: Drawing No. 547-0302-A
Proposed Site Section: Drawing No. 547-0301-A
Proposed Site Section: Drawing No. 547-0300-A
Proposed RF Demolition: Drawing No. 547-00123-A
Proposed 2F Demolition: Drawing No. 547-00122-A
Proposed 1F Demolition: Drawing No. 547-00121-A
Proposed GF Demolition: Drawing No. 547-00120-A
Proposed Roof Plan: Drawing No. 547-0105-A
Proposed Second Floor: Drawing No. 547-0103-A
Proposed Ground Floor: Drawing No. 547-0101-A
Proposed Site Plan: Drawing No. 547-0100-A
Proposed Site Elevation: Drawing No. 547-0202-A
Proposed Site Elevation: Drawing No. 547-0200-A
Proposed Site Elevation: Drawing No. 547-0200-A

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 to be used, including the PV roof covering shall be submitted to and approved in writing by the Local Planning Authority prior to their use in the development. The development shall be carried out using the approved materials.

Note: Because of limited storage space at our offices it would be appreciated if sample materials could 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

4 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 noise mitigation measures shall be fully implemented as approved 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 shall 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, 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.

5 A programme of post-determination archaeological mitigation, specifically an archaeological watching brief/excavation 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 site investigation, demolition below foundation slab or new development shall commence until a written scheme of investigation (WSI) for a watching brief (and excavation where required) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no development 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 or such other period as may be agreed in writing with the Local Planning Authority.

This condition is imposed in accordance with Section 16 of NPPF.

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.

6 Prior to commencement of development, an investigation and risk assessment (in addition to any assessment provided with the planning application) must be undertaken to assess the nature and extent of any land contamination. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. 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:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - 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 Prior to the commencement of development, 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) must be prepared and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must 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 must be carried out in accordance with its terms and a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of 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 must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of 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 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 neighbouring residents

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) and having taken account of all relevant national guidance and local policies, considers the proposal to be satisfactory. For this reason, no amendments were sought during the processing of the application, and it was not necessary to work with the applicant/agent in order to achieve a positive outcome.

2. 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).

Contact details:

Case Officer: Mark Baldry

Tel No: 01904 552877