

COMMITTEE REPORT

Date: 16 February 2017 **Ward:** Guildhall
Team: Major and **Parish:** Guildhall Planning Panel
Commercial Team

Reference: 16/01971/FULM
Application at: The Guildhall, Coney Street, York, YO1 9QN
For: Alterations and refurbishment of Guildhall complex to create conference rooms, meeting rooms and offices, refurbishment and part rebuild of existing south range to provide cafe and ancillary accommodation, and erection of extension on north side of complex to form restaurant and office accommodation.
By: City Of York Council
Application Type: Major Full Application (13 weeks)
Target Date: 19 January 2017
Recommendation: Subject to the expiry of the consultation period regarding amended plans, and no new planning issues being raised, delegated authority be given to Approve subject to conditions.

1.0 PROPOSAL

1.1 The Guildhall comprises a substantial Grade I and II* and partially Grade II Listed part stone and part brick built complex of Later Medieval date occupying a very prominent location within the Central Historic Core Conservation Area. Planning permission (and accompanying Listed Building Consent) is now sought for conversion of the building including; limited demolition and new building along the river front to allow for the construction of a restaurant, cafe and river side garden together with the formation of managed office space and the provision of a civic and event space within the central section of the building. The application has subsequently been amended to address Conservation concerns raised and a re-consultation of Historic England has been undertaken in respect of the proposed river source heat pump at the south eastern edge of the existing building.

2.0 POLICY CONTEXT

2.1 The National Planning Policy Framework (NPPF) was published in March 2012. It sets out government's planning policies and is material to the determination of planning applications. The sections in the NPPF most relevant to this proposal include:

- Chapter 7 – Design
- Chapter 10 – Flooding
- Chapter 12 – Preserving and enhancing the historic environment

2.2 The NPPF is the most up-to date representation of key relevant policy issues (other than the Saved RSS Policies relating to the general extent of the York Green Belt) and it is against this policy Framework that the proposal should principally be addressed.

2.3 Paragraph 14 of the NPPF sets out the presumption in favour of sustainable development, unless specific policies in the NPPF indicate development should be restricted. This presumption does not apply to this proposal as it is subject to the more restrictive policies in Section 10 and 12 to the NPPF.

Status of the emerging York Local Plan Publication Draft (2014)

2.4 The public consultation on the Preferred Sites 2016 document and supporting evidence for the emerging City of York Local Plan has ended and the responses are being compiled and assessed. The emerging Local Plan policies can only be afforded weight at this stage of its preparation, in accordance with paragraph 216 of the NPPF. However, the evidence base that underpins the proposed emerging policies is capable of being a material consideration in the determination of the planning application.

2.5 Relevant emerging policies are as follows:

Policy D3: Extensions and alterations to existing buildings

Policy D5: Listed buildings

Policy D7: Archaeology

Policy D9: City of York Historic Environment Record

Policy CC2: Sustainable design and construction

Policy ENV4: Flood risk

Policy ENV5: Sustainable drainage

Policy T1: Sustainable access

Status of the City of York Draft Local Plan (2005)

2.6 The City of York Draft Development Control Local Plan (incorporating 4th set of changes, April 2005) has been adopted for Development Control purposes, but it does not have statutory development plan status. Its draft policies are capable of being material planning considerations and are considered to carry some limited weight where they accord with the NPPF.

2005 Draft Development Plan Allocation:

2.7 Relevant 2005 allocations include:

- Areas of Archaeological Interest GMS Constraints: City Centre Area 0006
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- Conservation Area GMS Constraints: Central Historic Core CONF
- Flood zone 2
- Listed Buildings GMS Constraints: Grade 2; Lendal Cellars 26 Lendal York YO1 2AG 0613
- Listed Buildings GMS Constraints: Grade 2; 8 Lendal York YO1 2AA 0618
- Listed Buildings GMS Constraints: Grade 1; The Mansion House Coney Street York YO1 1QL 0611
- Listed Buildings GMS Constraints: Grade 2 Star; 14 Lendal York YO1 2AA 0616
- Listed Buildings GMS Constraints: Grade 2; Municipal Offices Coney Street 0614
- Listed Buildings GMS Constraints: Grade 1; The Guildhall Coney Street York YO1 9QN 0427
- Listed Buildings GMS Constraints: Grade 2; York Post Office 22 Lendal York YO1 2DA 0612

2005 Draft Development Control Local Plan policies:

2.8 Relevant development control policies include:

- CGP15A - Development and Flood Risk
- CYGP1 - Design
- CYHE2 - Development in historic locations
- CYHE10 - Archaeology
- CYHE3 - Conservation Areas
- CYHE4 - Listed Buildings
- CYC1 - Criteria for community facilities
- CYSP3- Safeguarding the Historic Character and Setting of York
- CYGP1 -Design
- CYGP15 - Protection from flooding
- CYNE6 -Species protected by law

LEGISLATIVE AND POLICY CONTEXT FOR HERITAGE ASSETS

Statutory duties – Planning (Listed Buildings and Conservation Areas Act 1990 (as amended) (“the 1990 Act”) – Sections 66 and 72

2.9 Section 66 of the 1990 Act requires the Local Planning Authority when determining planning applications for development that affects a listed building or its setting to 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.

2.10 Section 72 of the 1990 Act requires the Local Planning Authority when determining planning applications within a conservation area to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

2.11 Case law confirms that these statutory duties require the Local Planning Authority to give considerable importance and weight to the desirability of, respectively, preserving a listed building or its setting and preserving or enhancing the character or appearance of a conservation area. Harm to a listed building or the character of a conservation area is not a matter to be weighed equally with other material considerations in the planning balance, as the statutory duty imposed by Sections 66 and 72 impose a strong presumption against approval of development that would cause such harm. This is the case whether the harm is substantial or not.

2.12 This means that even where harm to such heritage assets is found to be less than substantial, the decision maker must still give considerable importance and weight to the desirability of preserving a listed building or its setting and preserving or enhancing the character or appearance of a conservation area when carrying out the balancing exercise. The exercise is still one of planning judgment but it must be informed by that need to give considerable importance and weight to conserving the heritage asset, more weight than if it were simply a factor to be taken account along with all other material considerations which have not been given this statutory status.

2.13 The legislative requirements of Sections 66 and 72 are in addition to Central government policy contained in Section 12 of the NPPF. The NPPF classes listed buildings and Conservation Areas as “designated heritage assets”. The NPPF’s advice on designated heritage assets includes the following:-

-Paragraph 129 says that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including any development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

-Paragraph 131 advises Local Planning Authorities to give significant weight to ensuring the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality and ensuring the desirability of new development making a positive contribution to local character and distinctiveness.

-Paragraph 132 advises 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" ... "As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification."

-Paragraph 134 advises 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 securing its optimum use."

- Paragraph 137 advises that local planning authorities should look for opportunities for new development within Conservation Areas 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 or better reveal the significance of the asset should be treated favourably.

3.0 CONSULTATIONS

INTERNAL:-

Public Protection

3.1 Raises no objection in principle to the proposal but wish to see any permission conditioned to require restrictions on the operating and delivery hours for the proposed cafe and restaurant, the submission of a Construction Environmental Management Plan (CEMP) in respect of the conversion works and the prior approval of details of plant audible from outside of the site along with details of an odour management scheme for the site.

Highway Network Management

3.2 Raises no objection to the proposal subject to any permission being conditioned to secure a method of works statement in respect of the construction process and compliance with the submitted framework travel plan.

Strategic Flood Risk Management

3.3 Raises concerns in respect of the availability of compensatory flood storage within the scheme where it incorporates an element of the highest flood risk zone (flood zone 3a).

Planning and Environmental Management (Archaeology)

3.4 Raises no objection to the proposal subject to a detailed archaeological evaluation taking place prior to development.

Planning and Environmental Management (Conservation)

3.5 States the scheme responds to context (with the caveat re north extension), it would improve the internal working environment and would successfully resolve many of the functional and circulation problems inherent in the existing buildings. Some aspects of the original proposals appeared to diminish the historic importance of the building as represented by the civic character of the existing architecture and special fittings. These areas have been reviewed and revised. They include:-

- South wall of Guildhall new opening
- Guildhall screen and dais;
- Connections between the glazed links and the Guildhall walls (mainly south annex);
- Stair Hall in Municipal Offices new openings;
- Extensions south and north on hutments site

3.6 The scheme is an example of heritage led regeneration and whilst the proposals undoubtedly add value to the site it is vital, both at detailed level and in the layout and management of the site, that the new uses are complimentary to the civic and ceremonial functions of the complex as a whole i.e. including the Mansion House; otherwise the high historic and communal significance of this possibly unique building group would be eroded.

3.7 The National Planning Policy Framework (supported by the Planning (Listed Buildings and Conservation Areas) Act 1990) requires great weight to be given to the conservation of heritage assets and the more important the asset the greater the weight should be. Any harm or loss requires clear and convincing justification.

3.8 Due to the intensified use of the site there will be extra pressure on internal areas and external space. In addition to the schedules, statements and precedent studies provided we would have welcomed further scrutiny of civic and public uses to ensure that they would be protected or improved where deficient (e.g. means of presentation in Council Chamber). Whilst appreciating that a brief is difficult to devise where the end users have not been identified, further explanation of how the buildings on the site (including Mansion House) might work together to support each other in contested areas would have been welcome as part of the justification for making changes (e.g. kitchen use, admin base, Member offices supporting Committee functions, presentations at Committee, security and use of shared spaces and main entrances, servicing, loss of parking, signage).

Planning and Environmental Management (Ecology)

3.9 Initially objected to the proposal on the grounds of inadequate bat survey information submitted with the proposal and inappropriate mitigation measures for

two bat roosts known to be present within the building. The earlier concerns have now been satisfactorily addressed and the objection withdrawn.

EXTERNAL:-

The Environment Agency

3.10 Initially objected to the proposal on the grounds of inadequate compensatory flood storage being provided in respect of the proposed cafe and river side garden. The objection was subsequently withdrawn following on from the submission of an addendum to the Flood Risk Assessment indicating how additional flood storage/flood resilience measures could be provided within the site.

Historic England

3.11 Raises no objection to the proposal subject to the intended external treatments and the design of the new build elements being conditioned in detail. Concern had been expressed in terms of the design and location of the proposed river source heat pump, the presence of secondary glazing within the building and the design and location of additional openings into the staircase hall to the Council Chamber. The previously proposed secondary glazing has been omitted from the scheme in its entirety and the proposed additional opening into the staircase hall has been redesigned to address the concerns previously raised. The location of the heat pump has also been satisfactorily clarified.

York Civic Trust

3.12 Supports the proposal subject to the detailed conditioning of the proposed external treatments and the design of the new build elements.

Publicity and Neighbour Notification

3.13 As an adjoining property owner, York Conservation Trust objects to the proposal on the grounds of adverse impact upon the setting of 14 Lendal, a Grade II* Listed Building, and adverse impact upon the residential amenity of occupants of the upper floor flat to 14 Lendal.

3.14 30 Letters of objection and one letter of support have also been submitted in respect of the proposal. The following is a summary of the letters of objection:-

- Concern in respect of the impact of the loss of the existing dais and screen on the significance of the Guildhall Building;
- The design and location of the proposed additional doorway from the Guildhall Building to the glazed extension to the south east;

- The provision of a glazed draught lobby within the Guildhall Building;
- The formation of additional openings into the staircase hall leading to the Council Chamber.

4.0 APPRAISAL

KEY CONSIDERATIONS:-

4.1 KEY CONSIDERATIONS INCLUDE:-

- Impact upon the character and appearance of the Listed Building complex;
- Impact upon the setting of 14 Lendal, a Grade II* Listed Building;
- Impact upon the character and appearance of the Central Historic Core Conservation Area;
- Impact upon Flood Risk in the locality;
- Impact upon the habitat of a protected species;
- Impact upon the residential amenity of neighbouring properties.

NATIONAL PLANNING POLICY CONTEXT

4.2 IMPACT UPON THE LISTED BUILDING COMPLEX AND CONSERVATION AREA:- As set out in Section 2 above, the statutory tests that apply mean that where harm is identified to a Heritage Asset there will be a strong presumption against the grant of permission. The presumption in favour of sustainable development set out at paragraph 14 of the National Planning Policy Framework does not apply in these circumstances. Central Government Planning Policy as outlined in paragraph 131 of the National Planning Policy Framework is that Local Planning Authorities should give significant weight to ensuring the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality and ensuring the desirability of new development making a positive contribution to local character and distinctiveness. There is a statutory duty on the Local Planning Authority to give considerable weight and importance to the desirability of preserving a listed building or its setting and enhancing the character or appearance of a conservation area when considering the planning balance by virtue of Sections 66 and 72 of the 1990 Act. This is the case even if the harm to such heritage assets is found to be less than substantial.

4.3 DEVELOPMENT AND FLOOD RISK:- Central Government Planning Policy as outlined in paragraphs 100 to 103 of the National Planning Policy Framework indicates that Local Planning Authorities should give particular weight in making planning decisions to the need to ensure that flood risk is not increased elsewhere. A sequential approach in order that development is directed away from areas of highest flood risk is established with a requirement to clearly demonstrate that no sequentially preferable sites lying within lower risk flood zones exist and are reasonably deliverable where the development may be undertaken. This process

sits within the framework of the up-to-date Strategic Flood Risk Assessment for the area and should not conflict with its delivery. In the event that the Sequential Test can not be complied with then an Exceptions Test must be undertaken. This must demonstrate that the development provides wider sustainability benefits that outweigh the flood risks informed by the Strategic Flood Risk Assessment. It must at the same time be the subject of its own detailed Flood Risk Assessment which clearly establishes that the development is flood resilient and flood resistant through its lifetime with the most vulnerable development located in the area of the lowest flood risk.

4.4 PROTECTION OF IMPORTANT HABITAT:- Central Government Planning Policy as outlined in paragraph 118 of the National Planning Policy Framework indicates that where significant harm to habitat from development can not be avoided, mitigated against or compensated for then planning permission should be refused.

4.5 AMENITY:- Central Government Planning Policy as outlined in paragraph 17 of the National Planning Policy Framework "Core Planning Principles" indicates that Local Planning Authorities should give significant weight to the maintenance and provision of a good standard of amenity for all new and existing occupants of land and buildings.

IMPACT UPON THE CHARACTER AND APPEARANCE OF THE LISTED BUILDING COMPLEX

4.6 SIGNIFICANCE OF LISTED BUILDING COMPLEX:-The Guildhall complex comprises a series of conjoined stone and buff brick structures dating to the 14th Century and subsequently occupying a sloping site from Lendal, a principal shopping street to the river side. The complex comprises a mix of Grade I, II* and Grade II Listed Buildings that have formed the hub of corporate government within the City since the Later Medieval period with the Guildhall itself and the central riverside range surviving from that period. Notwithstanding extensive war time bomb damage a number of good quality Victorian panelled rooms notably within the main Council Chamber still survive. Evidence of earlier building survives within the river side elevation with part of an early bonded warehouse surviving at basement level accessed from Common Hall Lane.

4.7 THE PROPOSAL:- The scheme aims to refurbish the complex to provide a series of event and civic spaces with small office suites, a restaurant and a cafe. The existing unlisted north easterly extension would be partially demolished and a three storey restaurant and office space would be erected between the 18th Century brick built warehouse to the north and the existing late 19th Century northern Tower range. The new building would be erected in a brick work to match surrounding buildings with a standing seam profile metal clad roof. At the same time a series of small scale single storey structurally glazed extensions would be provided at the

south of the site to provide a seating area for the proposed cafe and at the north east to provide an updated reception area. A low level river-side garden would be provided at the north western edge of the building with a glass balustrade along the river side. The existing stone-slabbed forecourt would be realigned and brought forward.

4.8 ASSESSMENT OF IMPACT: - The proposal is designed to secure a long term viable future for one of the most iconic buildings of the City Centre. The most significant impact upon the Listed Building complex relates to the proposed northern extension designed to accommodate the proposed restaurant and office suites. It involves the erection of a brick built three storey structure within an area descending to the river bank formerly occupied by temporary buildings. It has an idiosyncratic roof form incorporating a large dormer facing the river frontage with the roof configured in a profiled metal. The extension is designed to be subservient in terms of its scale and massing whilst at the same time making its own contribution to the sky line of the river front. It is however highly prominent in views from Lendal Bridge to the north west against the background of Lendal Bridge House and the adjacent boat house. The degree of prominence has been lessened by reducing the proportion of visible bronze cladding relative to render which more closely matches the adjacent stone building. The brickwork elements of the extension have also been redesigned to more closely blend in with the buildings directly to the north. Impact could be reduced further by reducing the height of the extension and particularly its feature window, and whilst the applicant has raised concerns that this would impact upon internal circulation space, the Applicant has subsequently agreed to submit amended plans in order to reduce the height and adjust the physical proportions. A related issue is in respect of the design of the proposed roof lights through the south wing which has given rise to some level of concern. The design has also been amended to more effectively pay reference to the existing in terms of their design and number and the pattern of fenestration in respect of the south wing is now felt to be acceptable and would not give rise to any harm to the character or significance of the Listed Building.

4.9 The second element of impact involves the layout of a river side garden below the proposed new building work. This provides a clear parallel and reference to the treatment of the river bank directly opposite off North Street. The scheme has subsequently been redesigned to allow for the provision of a tantalised bronze balustrade (rather than the profiled glass sections originally proposed) whose form and structure would match that of the similar balustrade within the facing North Street Gardens on the west bank of the Ouse. The new design does not give rise to any harm to the setting of the Listed Building. Further information has been submitted to clarify the precise location and the proposed river source heat pump at the south western edge of the existing building, and its level of visibility in long and short distance views from the west and north west. It would be located largely within an existing window embrasure and as such is not felt to give rise to any harm to the character and significance of the Listed Building.

4.10 The third element of impact involves the construction of a series of light weight glazed extensions to the south east and north east of the existing complex. These would be light weight in form and subservient to the overall host building in terms of their scale and massing. Amended details further clarify the proposed method of fixing of the glazed elements of the structure to the existing building, which would be physically discrete. It is felt that, element of the proposal would give rise to less than substantial harm to the character and significance of the building subject to being conditioned in detail as to the precise method of fixing. In terms of its necessity and design. The proposed additional opening to the south east of the Guildhall building has been carefully designed to match the existing pattern and hierarchy of openings and a clear justification has been advanced on the basis of the technical capacity of the Guildhall Building requiring an additional opening to allow for evacuation if needs be.

4.11 CONCLUSION OF IMPACT UPON THE CHARACTER AND APPEARANCE OF THE LISTED BUILDING COMPLEX:- The proposal as amended would give rise to a some harms to the character and significance of the building in respect of the design and arrangement of the new pattern of fenestration, the design and location of a series of low rise glazed extensions, the construction of a new two storey extension to the north and the design and layout of the river side garden. With the agreement of the applicant to lower the feature window within the new extension, it is felt that the degree of harm identified is less than substantial.

IMPACT UPON THE SETTING OF 10 - 14 LENDAL, GRADE II* LISTED BUILDINGS

4.12 SIGNIFICANCE: - 10-14 Lendal comprises a block of two four storey brick built former town houses dating to the Late 17th Century converted into a shop and a bank in the Late 19th Century. Much of the original pattern of fenestration is retained. As the residence of an important member of the City's merchant community it was designed to have long narrow plot leading to the river side with a garden and yard leading to the water front and small scale industrial and warehousing activities adjoining. It is Grade II* Listed and occupies a prominent location on the river side ridge overlooking the northern section of the development to be occupied by the proposed new build restaurant and office suites.

4.13 ASSESSMENT OF IMPACT:- Concern has been expressed in terms of the impact of the proposed new building upon the setting of the Listed Building which is currently being converted into residential accommodation on its upper floors. The proposed new building lies below 14 Lendal on the river slope but by virtue of its scale and massing the existing view from this property would be partially obscured. The new building would be set a significant distance from the rear of the property and its roof form has been amended in order to lessen the degree to which the view from the river front would be obscured. The Listed Building was designed as a high

status merchant's house with living accommodation on the street frontage of Lendal with workshops and warehouses adjoining, an example of which survives with the adjacent York Boat Yard, on the river frontage. These would have been of a variety of heights and designs with the key views and approach to each property from the road rather than the river side. The utilitarian design of the proposed northern extension with its partially bronze clad roof would take the broad form of such a river side industrial use, however its modern scale and massing and idiosyncratic relationship would give rise to a degree of harm to the setting of the adjacent building that is less than substantial harm as the principal historic views of the property would only be modestly harmed. The Applicant has agreed to reduce the height and adjust the proportions of the new building further and has submitted plans that are the subject of consultation at present. The harm to this listed building is considered to be less than substantial.

IMPACT UPON THE CHARACTER AND APPEARANCE OF THE CENTRAL HISTORIC CORE CONSERVATION AREA

4.14 SIGNIFICANCE:-The application site occupies a prominent location within the Central Historic Core Conservation Area with frontages both to the River Ouse to the west and Lendal/Coney Street albeit on a much smaller scale to the east. The inter relationship of historic elements specifically the uniform scale, palette of materials and roof form with the river frontage form a central element of the character and significance of the Central Historic Core Conservation Area.

4.15 ASSESSMENT OF IMPACT: - The proposal envisages the layout of a river side garden, the construction of a series of light weight single storey glass structures to provide a reception area and a sitting area for the proposed cafe use in the south wing. More significantly a three storey brick and render extension is proposed to the north of the existing complex in clear view from the river frontage. The extension has been designed to be subservient to the main complex in terms of its scale and massing but at the same time to make a distinctive contribution to the sky line of the water front. Some detailed concern has been expressed in terms of the detailed design of the fenestration and the chosen palette of materials for the proposed extension. Both the detailed pattern of fenestration, the proposed brick for the lower sections of the structure and the relative proportions of metallic cladding has been amended by the applicant to address the detailed concerns. Lowering of the roofscape and the proposed feature window on the riverside elevation would also improve its relationship with the historic streetscape and relationship with the river frontage, and the Applicant has submitted amended plans to achieve this. On balance, if the height is reduced, it is felt that the amendments to the scheme have ensured that it will give rise to less than substantial harm to the character and appearance of the Conservation Area.

SUMMARY OF IMPACT ON THE HERITAGE ASSETS

The impact of the amended proposals on the designated heritage assets has been assessed as amounting to less than substantial harm.

Given that the development proposal will lead to less than substantial harm to the significance of the designated heritage assets, paragraph 134 of the NPPF requires that this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. The substantial public benefits of the proposal, including securing its optimum use are set out in paragraph 4.21. However, the identified harm still attracts considerable importance and weight in the planning balance by virtue of Sections 66 and 72 of the 1990 Act.

IMPACT UPON FLOOD RISK IN THE LOCALITY

4.16 The application site lies astride the boundaries of Flood Zones 1, 2 and 3a) with part of the proposed restaurant and the river side garden within Flood Zone 3a) the most at risk of flooding from river sources. In terms of the Sequential Test as required by paragraphs 100-104 of the NPPF no sequentially preferable sites exist to be able to accommodate those elements of the proposal within Flood Zones 2 and 3a) and as such the Sequential Test is failed and a requirement for the Exception Test to be undertaken arises. In terms of complying with the Exception Test the development is able to demonstrate clear sustainability benefits by being able to demonstrate the reuse of the complex in a more intensive and publicly beneficial manner. The application has been subject to a detailed Flood Risk Assessment which identifies the proposed mix of uses as less vulnerable as well as identifying a series of flood resilience measures to cover that section of the site within Flood Zone 2. Such measures include the raising of floor levels significantly above the highest recorded flood level in the locality, the use of flood resilient materials and the location of flood vulnerable plant and equipment away from areas of risk. Whilst the Sequential Test as required by paragraphs 100-104 of the NPPF is clearly not capable of being complied with, the Exception Test to demonstrate clear sustainability benefits which over-ride any harm by increase in flood risk has been complied with successfully. At the same time the development has been subject to a detailed site specific Flood Risk Assessment and is therefore felt to be acceptable.

4.17 An objection was however submitted by the Environment Agency in terms of the potential loss of a significant area of potential storage for flood water within the area of the proposed new build north extension which is also deemed to be the most vulnerable location in terms of flood risk within the site. The area was previously occupied by a series of prefabricated structures dating to the early 20th Century and subsequent to demolition in 2014 has been the subject of preliminary archaeological evaluation to establish the nature and distribution of deposits within the wider site. The loss of this area, which lies partially within Flood Zone 3 as potential flood

storage bearing in mind recent severe flooding events in the City has been of significant concern. The applicant has modified the design of the proposed riverside garden in order to give a degree of compensatory storage that can be easily cleaned and the Environment Agency have subsequently withdrawn their objection subject to any permission being conditioned to require strict adherence to the measures outlined in the submitted FRA amendment.

IMPACT UPON THE HABITAT OF AN ENDANGERED SPECIES

4.18 The existing north block of the complex that was built in the late 19th Century and is to be partially demolished as part of the scheme contains two bat roosts which are legally protected. One which is a maternity roost would be lost and would require the relevant licence from Natural England. The second would be relocated within the roof void of the retained section of the former north block. Following concern regarding the close proximity of the plant for restaurant and office suites and the site layout inhibiting access the established bat foraging grounds along the river side, the applicant has amended the scheme to relocate the plant and provide an alternative roosting site within the complex closer to the traditional river side foraging grounds. This is now felt to be acceptable and in compliance with Central Government Policy as outlined in paragraph 118 of the NPPF.

IMPACT UPON THE RESIDENTIAL AMENITY OF NEIGHBOURING PROPERTIES

4.19 The area surrounding the Guildhall complex comprises a densely developed City Centre area with a wide mix of land uses. To the south and east are a range of high intensity retail and leisure uses including a popular cinema and a number of late night bars and restaurants. To the north are a range of smaller scale leisure and retail uses based in small scale historic properties with residential use retained above. Particular concern has been raised in respect of the visual impact of the proposed northern extension on the amenity of the potential occupants of the flats being created within the upper floors of 14 Lendal. The proposed separation distance of 15-20 metres from the rear of the office/restaurant use in the north block is however not unusual within the locality where much of the pattern of development is at a significantly higher density. There would however be a loss of view for the occupants of the upper floors of 14 Lendal who presently are able to gain a clear view of the River and also an oblique view of Lendal Bridge. This would largely be obscured in the event of the development being implemented. Whilst of some concern, it is considered that such a loss of view would not constitute a significant material consideration that would unacceptably compromise the residential amenity of prospective occupants of the property, and that the scheme is acceptable in amenity terms.

USAGE OF THE GUILDHALL YARD

4.20 Whilst concerns have been expressed in terms of the removal of the existing parking and garage space from the yard area adjoining the Mansion House, the proposals would not give rise to any material harm to the significance of the complex. It would however alter the management of the space in terms of its civic usage. It has been indicated that some form of parking would be retained in association with the Mansion House use and it is recommended that any permission include an informative seeking the formation of a new management arrangement to cover usage of the space and operational linkages with both the Guildhall and Mansion House.

PUBLIC BENEFITS OF THE PROPOSAL

4.21 The proposal through the provision of a restaurant and cafe space together with a river side garden would ensure a greater degree of public interest in and usage of the iconic complex of Listed Buildings, whilst at the same time and perhaps more importantly providing an on-going source of economic investment to secure the long term future of these high status listed buildings. At the same time the provision of a series of small and medium sized furnished office suites and meeting spaces would provide a much needed enhancement of employment land capacity within the City Centre. It is considered that cumulatively these public benefits are substantial and significant.

5.0 CONCLUSION

5.1 The Guildhall comprises a substantial Grade I ,Grade II* and Grade II Listed part stone and part brick built complex of Later Medieval date occupying a very prominent location within the Central Historic Core Conservation Area. Planning permission is now sought for its conversion including, limited demolition and new building along the river front to allow for the construction of a restaurant, cafe and river side garden together with the formation of managed office space and the provision of a civic and event space within the central section of the building.

5.2 Previous concerns in respect of the impact of the proposal upon local flood risk have been successfully resolved as have concerns in respect of the impact upon bat habitat. Specifically, the design as amended incorporates elements of the site specific Flood Risk Assessment which allows for storage of flood waters below sections of the new extension and the inundation of the River side garden. This resolves concerns in respect of public safety for users of the complex and surrounding areas and concerns in respect of flood risk to neighbouring properties. The greater use of and investment in the site would at the same time secure significant sustainability benefits in line with the requirements of paragraph 102 of the National Planning Policy Framework. It is not considered that the impact on

views of the river and Lendal Bridge from 14 Lendal gives rise to an unacceptable impact on residential amenity that would warrant refusal of the proposal.

5.3 Detailed concerns have previously been expressed in terms of the proposed palette of materials for the northern extension, the roof form of the northern extension, the pattern of new fenestration, the river source heat pump along the river side elevation, the design of the balustrade for the river side garden and the mode of fixing of the new glazed extension. Amendments have been subsequently made, and the impact of the amended proposals on the heritage assets has been assessed as amounting to less than substantial harm. Although the harms identified to the designated heritage assets would be less than substantial, the harms give rise to a statutory presumption against the grant of planning permission. In order to give effect to the statutory duties under sections 66 and 72 of the 1990 Acts, the Local Planning Authority should afford considerable importance and weight to the desirability of preserving the listed building complex or its setting and preserving or enhancing the character or appearance of the Conservation Area in the overall planning balance. The policy test in paragraph 134 to the NPPF requires the harm to the heritage assets to be balanced against any public benefits of the proposal. Having attached considerable importance and weight to the desirability of avoiding the harms identified to the heritage assets, it is concluded that the increased degree of public usage of the complex together with the on-going investment to secure a viable economic use would constitute a substantial public benefit that would clearly outweigh these harms. The proposal is therefore felt in the overall planning balance to be acceptable and approval is recommended.

6.0 RECOMMENDATION: Subject to the expiry of the consultation period in relation to the amended plans and no new planning issues being raised, delegated authority be given to the Assistant Director of Planning and Public Protection to Approve subject to conditions including:

- 1 TIME2 Development start within three years
- 2 The development hereby permitted shall be carried out in accordance with the following plans:-

Drawing Refs:-

AL(0)0100.P1 OS

AL(0)0101.P2 Block Plan

AL(0)0200.P5 Existing Site Plan

AL(0)0300.P4 Existing Basement Plan

AL(0)0400.P6 Existing Ground Floor Plan

AL(0)0500.P5 Existing First Floor Plan

AL(0)0600.P4 Existing Second Floor Plan

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AL(0)0700.P4 Existing Tower Plan

AL(0)1200.P3 Proposed Site Plan

AL(0)1300.P8 Proposed Basement Plan

AL(0)1310.P4 Proposed Basement Plan - Referenced

AL(0)1400.P14 Proposed Ground Floor Plan

AL(0)1410.P8 Proposed Ground Floor Plan - Referenced

AL(0)1500.P11 Proposed First Floor Plan

AL(0)1510.P5 Proposed First Floor Plan - Referenced

AL(0)1600.P11 Proposed Second Floor Plan

AL(0)1610.P5 Proposed Second Floor Plan - Referenced

AL(0)1700.P11 Proposed Tower Plan

AL(0)1710.P5 Proposed Tower Plan – Referenced

AL(0)1900.P9 Proposed River Front Elevation

AL(0)1901.P7 Proposed North Annexe Elevation From Boat Yard

AL(0)1903.P4 Proposed River Front Elevation In Context

AL(0)1910.P8 Proposed South Range Elevation From Revs Bar

AL(0)1911.P7 Proposed Guildhall Elevation From Common Hall Yard

AL(0)1950.P7 Proposed Section AA - North Range

AL(0)1952.P5 Proposed Section CC - Secondary Entrance

AL(0)1953.P7 Proposed Section DD - South Range Café/entrance

AL(0)1954.P8 Proposed Section EE 1 (north)

AL(0)1955.P8 Proposed Section EE 2 (south)

AL(0)1956.P4 Proposed Section FF

AL(0)1960.P4 Proposed Section JJ - Council Chamber

AL(0)1963.P9 Proposed Section MM - Restaurant

AL(0)1964.P7 Proposed Section NN - North Annexe From Lendal

AL(10)0301.P4 Proposed Basement Demolition Plan: North

AL(10)0302.P4 Proposed Basement Demolition Plan: South

AL(10)0401.P4 Proposed Ground Floor Demolition Plan: North

AL(10)0402.P5 Proposed Ground Floor Demolition Plan: South

AL(10)0501.P5 Proposed First Floor Demolition Plan: North

AL(10)0502.P4 Proposed First Floor Demolition Plan: South

AL(10)0601.P4 Proposed Second Floor Demolition Plan: North

AL(10)0602.P4 Proposed Second Floor Demolition Plan: South

AL(10)0701.P4 Proposed Fire Strategy Plan

AL(10)0801.P4 Proposed Roof Demolition Plan

AL(80)1300.P4 Proposed Basement Fire Strategy Plan

AL(80)1301.P4 Proposed Basement Fire Strategy Plan: North

AL(80)1302.P4 Proposed Basement Fire Strategy Plan: South

AL(80)1400.P4 Proposed Ground Floor Fire Strategy Plan

AL(80)1401.P4 Proposed Ground Floor Fire Strategy Plan: North
AL(80)1402.P4 Proposed Ground Floor Fire Strategy Plan: South
AL(80)1500.P4 Proposed First Floor Fire Strategy Plan
AL(80)1501.P4 Proposed First Floor Fire Strategy Plan: North
AL(80)1502.P4 Proposed First Floor Fire Strategy Plan: South
AL(80)1600.P4 Proposed Second Floor Fire Strategy Plan
AL(80)1601.P4 Proposed Second Floor Fire Strategy Plan: North

AA(0)0100.P1 Proposed South Range WC Block Wall Detail
AA(0)0101.P2 Proposed Guildhall Ramp & Screen Details Sheet 1
AA(0)0102.P1 Proposed Guildhall Glazed Draught Lobby Details
AA(0)0103.P1 Proposed Guildhall & South Range Seating Details
AA(0)0104.P1 Proposed Guildhall & South Range Entrance Details
AA(0)0104A.P1 Proposed Guildhall & South Range Alternative
AA(0)0105.P1 Proposed Guildhall & South Range Slype Details
AA(0)0106.P1 Proposed South Range Café Window Details
AA(0)0107.P1 Proposed Benching Details
AA(0)0108.P1 Proposed Council Chamber Details
AA(0)0109.P2 Proposed Opening within Council Chamber Entrance
AA(0)0113.P1 Proposed River Terrace Balustrade Details
AA(0)0116.P1 Proposed Guildhall Screen Detail Sheet 2
AA(0)0118.P1 Proposed Framing of Window on North Extension Study

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

3 VISQ7 Sample panel ext materials to be approv

4 VISQ8 Samples of exterior materials to be app

5 VISQ4 Boundary details to be supplied

6 No works hereby approved shall take place until there has been submitted and approved in writing by the Local Planning Authority a detailed landscaping scheme, including a timetable for implementation, which shall illustrate the number, species, height and position of trees shrubs and hard landscaping. Development shall be carried out in accordance with the approved details and timetable. Any trees or plants which within a period of five years from the completion of the development 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 alternatives are agreed in writing by the Local Planning Authority.

Reason: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species within the site.

7 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 prior to their installation. 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 retained, operated and 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 background noise level 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.

8 The roof terrace cafe shall be closed to patrons of the premises at 24.00 hours (midnight) and not used between 24.00 (midnight) and 08.00 the following day.

Reason: To protect the amenity of surrounding occupants.

9 Upon completion of the development, no deliveries shall be taken at or dispatched from the site outside the hours of:

Monday to Friday 07:00 to 23:00

Sundays and Bank Holidays 09:00 to 18:00

Reason: To protect the amenity of occupants of the new and nearby properties from noise.

10 No outdoor speakers shall be used at any time in association with the approved use.

Reason: To protect the amenity of surrounding occupants.

11 The hours of operation of this approved use shall be confined to 10am to 00:00 am

Reason: To safeguard the amenities of adjoining occupants.

12 Prior to commencement of the hereby approved works 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. All works on site shall be undertaken in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

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 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).

For dust details should be provided on measures the developer will use to minimise dust blow off from site. 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. In addition I would anticipate that details would be provided of proactive monitoring to be carried out by the developer to monitor levels of dust to ensure that the necessary mitigation measures are employed prior to there being any dust complaints. Ideally all monitoring results should be measured at least twice a day and result recorded of what was found, weather conditions and mitigation measures employed (if any). The plan should also provide detail on the management and control processes. 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/>.

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

Reason: To protect the amenity of the area

13 All construction and demolition works and ancillary operations, including deliveries to and dispatch 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.

Reason:- To protect the amenity of local residents

14 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 prior to their installation. Once approved it shall be installed and fully operational before the proposed use first opens and shall be retained and operated and appropriately maintained and serviced thereafter in accordance with manufacturer guidelines.

Note: It is recommended that the applicant refers to the Defra Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems (January 2005) 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 Annex C of the DEFRA 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/ozon 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.

15 A full Lighting Impact Assessment shall be undertaken by an independent assessor detailing predicted light levels at neighbouring residential properties including a description of the proposed lighting, a plan showing vertical illuminance levels (Ev) and all buildings within 100 metres of the edge of the site boundary. The assessment shall thenceforth be submitted to the Local Planning Authority for approval in writing and its recommendations as so approved shall be fully implemented before the development hereby authorised is first brought into use and maintained thereafter.

Artificial lighting to the development must conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone E4 contained within table 2 taken from the Institute of Light Professionals Guidance Notes for the Reduction of Obtrusive Lighting (GN01:2011).

Reason: To secure the character and significance of the Central Historic Core Conservation Area

16 A programme of archaeological mitigation, including further evaluation work, excavation, public access & community engagement, post excavation assessment & analysis, publication, and archive deposition is required in connection with this development. The applicant will submit an archaeological project design for archaeological mitigation on this site. The works set out in the project design shall be approved and discharged in the following 3 stages:

A) No works hereby approved shall commence until an archaeological project design including a written scheme of investigation (WSI) describing the archaeological project (excavation, deposit monitoring, public access and engagement, post-excavation assessment and analysis, publication and archive deposition) has been submitted to and approved by the local planning authority in writing. The WSI should conform to standards set by the Chartered Institute for Archaeologists.

B) The site investigation, deposit monitoring, post investigation assessment and analysis, report preparation and submission for publication, and archive deposition shall be completed in accordance with the programme set out in the project design and WSI approved under (A). This part (B) of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the approved project design and WSI and have been approved by the local planning authority in writing.

C) A copy of a report or publication of the project shall be deposited with City of York Historic Environment Record to allow public dissemination of results within 12 months of completion of works on site or such other period as may be agreed in

writing with the Local Planning Authority.

This condition is imposed in accordance with Section 12 of NPPF.

Reason: The site is of archaeological interest and lies within an Area of Archaeological Importance and the development may harm important archaeological deposits which must be recorded prior to destruction.

17 The works shall be carried out in strict accordance with the FRA Addendum by Burrell, Foley, and Fischer, dated 30th November 2016 to include:

- Provision of compensatory storage as detailed in the FRA Addendum;
- The upper restaurant terrace shall be constructed in such a manner that it has free access and egress of flood waters beneath;
- The proposed balustrade shall be designed and constructed in such a manner that it allows the ingress and egress of flood flows.

Reason: To ensure that the proposed development doesn't displace flood flows on to adjoining land or result in the loss of viable flood storage.

18 Notwithstanding the previously submitted application details, full details including cross sections at 1:5 and 1:20 of the proposed screen, dais and associated civic space including the design of fixed seating and other furniture for the Guildhall space shall be submitted to and approved in writing by the Local Planning Authority before internal refurbishment work commences. The development shall thenceforth be undertaken in strict accordance with the details thereby approved prior to the refurbished Later Medieval Guildhall Chamber being first brought into use.

Reason: To safeguard the historic character and integrity of the Listed Building and to secure compliance with paragraph 133 of the National Planning Policy Framework.

19 No umbrellas or other similar roof coverings shall be used over the extent of the restaurant terrace and other external spaces.

Reason: To safeguard the character and significance of the Central Historic Core Conservation Area.

20 The development hereby permitted shall be implemented in accordance with the scheme of mitigation set out in *Section 9.0 Mitigation & Compensation* of the *Biodiversity Report: Bat, Breeding Bird and Barn Owl Survey, York Guildhall, Rev #1*

December 2016 by MAB Environment & Ecology Ltd and any significant variation thereto shall be agreed in writing by the local planning authority before such change is made.

This includes a retained roost in the northern annex (Figure 15, page 40) and new roosting habitat within a raised roof area of the existing building (Figure 17, page 42).

Reason: To contribute to and enhance the natural and local environment by encouraging good design to limit the impact on nature conservation in line with the NPPF.

21 The following works; demolition of the northern annex and works, including use of scaffolding, on the west face of the northern annex corner tower, as shown in Figure 6 (page 27) of *Biodiversity Report: Bat, Breeding Bird and Barn Owl Survey, York Guildhall, Rev #1 December 2016 by MAB Environment & Ecology Ltd* shall not in any circumstances commence unless the local planning authority has been provided with either:

a) a licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorizing the specified activity/development to go ahead; or

b) A statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.

Reason: To ensure the protection of a European Protected Species.

22 Prior to alterations being commenced a level 2 (in accordance with Historic England Guidance) photographic recording survey shall be carried out in accordance with Historic England guidance as set out in "Understanding Historic Buildings: a guide to good recording practice" May 2016. The recording process shall include careful removal of finishes in affected areas so that details of any notable underlying wallpaper, stencilling or paint finishes can be recorded.

Reason: To safeguard the historic character and integrity of the Listed Building.

23 The works hereby approved shall not be commenced until a detailed method of works statement has been submitted to and approved in writing by the Local Planning Authority. Such statement shall include at least the following details;

- I. Routing of construction traffic, including signage where appropriate
- II. Arrangements for site compound and contractor parking
- III. Measures to prevent the egress of mud and other detritus onto the public highway
- IV. A jointly undertaken dilapidation survey of the adjacent highway
- V. Program of works

VI. Details of any road/footpath closures as may be required

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, free flow of traffic or safety of highway users.

24 The site shall hereafter be occupied in accordance with the aims, measures and outcomes of the submitted Framework Travel Plan dated *17th August 2016*, or such Travel Plan, which is subsequently submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development complies with local and national planning and transportation advice and to ensure adequate provision is made for the movement of vehicles, pedestrians, cycles and other modes of transport to and from the site, together with provision of parking on site for these users.

25 No works hereby approved shall take place until a drawn and photographic recording scheme, including a work programme and timetable, has been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme. The scheme shall accord with Historic England's guidelines set out within 'Understanding Historic Buildings: A guide to good recording practice', republished in May 2016. The recording process shall include careful removal of finishes in affected areas so that details of any notable underlying wall paper, stencilling or paint finishes can be recorded. The scheme shall include provision for (but shall not be limited to);:

(i) Prior to alteration, a level 2 drawn and photographic archaeological recording of the south wall of the Guildhall in its existing condition showing both internal and external elevations as a whole; and.

(ii) Prior to alteration, a level 2 drawn and photographic recording of the internal west wall of the Guildhall both before the proposed removal of the existing screen and dais, and following its exposure.

Reason: To safeguard the historic character and integrity of the Listed Building and to secure compliance with paragraph 133 of the NPPF.

26 No works hereby approved shall take place, until a Method Statement (MS) has been submitted to, and approved in writing by, the local planning authority. The works shall be carried out in accordance with the approved MS. The MS shall include details of materials, construction techniques and finishes and shall provide for:

(i) The integration of new services such as heating, lighting, ICT within the Guildhall. Information shall be illustrated to show the type of fittings and equipment proposed and how the distribution of cabling and ductwork shall be

hidden to avoid damage to the interior. The MS shall fully describe the sequence of alteration to the floor to insert under-floor heating, and how existing high quality flooring materials and other elements shall be protected during construction;

(ii) Reinstatement of the buttresses of the Guildhall north wall and exposing the stonework. The MS shall provide for the undertaking of trials to determine the best method for removing the plaster and leaving the stonework unharmed and for any subsequent making good required;

(iii) The recording, dismantling, and rebuilding of the muniment store. The MS shall include structural measures proposed.

(iv) The service strategies, and also any upgrading of elements for fire and acoustic performance. The MS shall describe any plant, distribution systems and outlet sources arising from the River Source Heat Pump and show how the impact on the building's interior, exterior appearance and fabric has been minimized; and.

(v) Protection for existing elements and finishes in areas where demolition works will be carried out.

Reason: To safeguard the historic character and integrity of the Listed Building and to secure compliance with paragraph 133 of the NPPF.

27 No works hereby approved shall take place until full details of both hard and soft landscaping, including a timetable for implementation, have been submitted to and approved in writing by the local planning authority. These details shall include, inter alia, terraces, planters, ramps, steps, balustrades (save for the river side balustrade) , gates, walls, compounds, bike racks, external lighting and CCTV. Development shall be carried out in accordance with the approved details and timetable.

Reason: To safeguard the character and appearance of the designated heritage assets.

28 No works hereby approved shall take place until details of the items listed below have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

(i) Details including sections at 1:5 and 1:20 of the river side balustrade and works to the existing river wall. Such details shall show, inter alia, how existing copings will be retained and re-set;

(ii) Full details showing the River Source Heat Pump in relation to the Guildhall, river walls and walkways;

- (iii) Large scale details of the new opening and new doors in the south wall of the Guildhall. The details shall show how doors shall match the existing consistent door design within the hall. Within the hall details shall include chamfered mouldings to match other similar openings;
- (iv) Full details for remodelling the Guildhall floor where the ramp will be introduced. Details shall include cross sections, handrails, and remodelling of the steps and surrounding flooring pattern and surfaces to accord;
- (v) Large scale details of the replacement lobby at the east end of the Guildhall. Such details shall illustrate the abutment condition with the masonry wall. Proposals for making good any scars in the stonework shall also be provided;
- (vi) Large scale details of any alterations to the “Munster balustrade” necessary to adapt it to its new location;
- (vii) Full details of all new fittings, such as benches, attached to walls or floor of the Guildhall interior. Details shall include method of fixing;
- (viii) Full construction details for the newly created slype space on the south side of the Guildhall, and the new glazed entrance lobby on the north side of the Guildhall. Such details shall include details of the clerestory, gutter, rainwater goods, and doors. Detailed sections at 1:20 and 1:5 shall show connection details between the newly created glazed areas and existing masonry. Large scale details shall show how the impact of fixings and the solid appearance of the connecting elements have been minimized. Full details of all other fittings adjacent to the external walls of the Guildhall wall shall be included, including benches, sleeves/linings;
- (ix) Large scale details of the new opening within the stair vestibule and lobby of the Municipal Offices;.-
- (x) Full details of the new extension to the south annex. Such details shall explain the abutment details, alterations to the existing roof structure and the resultant effect on the interior space, new and altered openings, including all roof-lights;
- (xi) Large scale details of new openings and new windows in the north gable wall of the Guildhall annex. Windows shall be shown in context;
- (xii) Selected bay details of the replacement north annex, the glazed link and the new north extension. Such details shall illustrate the articulation of the facades (including but not limited to oriels/balconies/balustrades/soffits/eaves/parapets etc), the relationship between elements and the detailed design quality. The areas selected shall be first agreed with the Local Planning Authority in writing. Each

area shall be drawn out in plan, section and elevation at 1:20 with details of verge, eaves and reveals drawn out at 1:5.

(xiii) Door and window schedules shall be provided identifying in full proposed alterations to existing windows and doors (including for fire, acoustic and DDA purposes), and also fully describing new doors and windows. The schedule shall be supplemented by annotated illustrations explaining the alterations. The schedule and accompanying illustrations shall include full details of window alterations required to accommodate the River Sourced Heat Pump) and full details of the “brick faced” jib door;

Reason: So that the Local Planning Authority may be satisfied with these details.

7.0 INFORMATIVES:

Notes to Applicant

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

In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraphs 186 and 187) in seeking solutions to problems identified during the processing of the application. The Local Planning Authority took the following steps in order to achieve a positive outcome:

Details of the proposed flood mitigation works;

Clarification in respect of proposed bat mitigation works;

Modification of the design to minimise impact upon the character and appearance of the Central Historic Core Conservation Area and the setting of 14 Lendal.

2. CONTAMINATED LAND:-

In the event that contamination is found at any time when carrying out the approved development, the findings must be reported in writing immediately to the Local Planning Authority. In such cases, an investigation and risk assessment must be undertaken and where remediation (clean-up) 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. Should City of York Council become aware at a later date of suspect contaminated materials which have not been reported as described above, the council may consider taking action under Part 2A of the Environmental Protection Act (1990).

3. EXTERNAL AREAS MANAGEMENT PLAN:-

A detailed maintenance/management plan will be submitted to and approved in writing by the Local Planning Authority to cover external areas to prevent silting and clutter to secure the free movement of flood water.-

4 PROTECTED SPECIES:-

The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove 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.

The buildings were considered suitable for nesting bird activity, and therefore works should ideally start between October and February (outside of the nesting bird season); however, should works commence within the bird-nesting season (1st March and 31st August inclusive) a pre-start nesting bird check of suitable features would be required.

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.

The buildings were considered suitable for nesting bird activity, and therefore works should ideally start between October and February (outside of the nesting bird season); however, should works commence within the bird-nesting season (1st March and 31st August inclusive) a pre-start nesting bird check of suitable features would be required.

5. GUILDHALL YARD:-

The applicant's attention is drawn to the need to arrive at alternative on-going management arrangement for the usage of the Guildhall Yard including the on-going provision of alternative car parking for the Mansion House that takes clear account of the needs of all users.

Contact details:

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