

3.0 CONSULTATIONS

Design, Conservation and Sustainable Development (DCSD) (Conservation Architect)

3.1 The applicant has responded to previous concerns in respect to internal works, which would have resulted in the loss of historic fabric following the sub division of original rooms. The proposals now seek to reintroduce the original plan form based on surviving evidence and professional opinion. One key aspect of this is the reinstatement of the carriageway. This is a major benefit and better reveals the heritage significance of the listed building and will offset any harm that some of the other alterations may cause. The introduction of duplex apartments across the ground and lower ground floors which has allowed the reinstatement of the staircase for no. 26 Blossom Street is an additional benefit.

3.2 The revised application has also addressed concerns in respect to some of the external works proposed, including clarity in respect to windows, air bricks/extract grilles, gates and reduction to the number of rooflights.

3.3 The proposals introduce mechanical ventilation, which has been carefully handled and considered and on balance this provides an acceptable solution to providing a sustainable future for this listed building.

3.4 The structures proposed for demolition are unsightly and have a negative impact on the listed building's aesthetic and historic value. The massing of the new build elements, whilst have been reduced remain larger than hoped, but it is acknowledged that this reflects, in some way, the original built form of a warehouse at the rear of the property.

3.5 The level of harm is assessed as less than substantial; and overall the revised scheme will better reveal the heritage significance of the building. It will bring back into an appropriate residential use a building that has suffered from years of inappropriate alterations.

Micklegate Planning Panel

3.6 No response received to date.

York Civic Trust

3.7 Generally comments initially made with concerns raised in respect to the part removal of the attic roof and superstructure (including original timber beams), the

impact of the front facing dormers on the conservation area (requiring careful design) and the appearance of a new front doorway entrance.

3.8 The revised scheme is a step in the right direction, but there remains key elements that prevent us from fully supporting the scheme:

- Historic roof fabric – it is difficult to evaluate the level of historic roofing structure that would be lost; the attic floor does not include a demolition plan
- rear fenestration- this is greatly improved especially at ground floor level, however the proposed form of the window on the second floor is inexplicably modern and out of keeping with the Georgian style windows; a more sympathetically designed window would be suitable
- iron gate – broadly welcome the use of an iron gate at the entrance however detailed plans should be necessary before conditions stage to ensure an evaluation of its suitability can be made. Landscaping and amenities will be important as the iron gate will allow visualisation into the rear from Blossom Street; hoped that successful management will avoid bins being stored in the carriageway rather than the store.

4.0 REPRESENTATIONS

4.1 No letters of representation raising listed building issues have been submitted.

5.0 APPRAISAL

5.1 Key Issue:

- Impact of the proposed works on the special architectural and historic interest of 22-26 Blossom Street (Grade II).

LEGISLATIVE BACKGROUND

5.2 The building is grade II listed and as such Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 state that in considering whether to grant listed building consent for any works 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.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF) 2019

5.3 The revised NPPF (2019) sets out the government's planning policies for England and how these are expected to be applied. The planning system should contribute to the achievement of sustainable development (Paragraph 7). To achieve sustainable development, the planning system has three overarching objectives; economic, social and environmental objectives.

5.4 In the absence of a formally adopted Local Plan the most up-to date representation of key relevant policy issues is the NPPF and it is against this policy Framework that the proposal should principally be addressed. The NPPF sets out the presumption in favour of sustainable development.

5.5 Section 16 considers the conservation and enhancement of the historic environment. Paragraph 193 requires consideration to be given to the significance of a designated heritage asset with great weight given to the asset's conservation; 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.

PUBLICATION DRAFT LOCAL PLAN (2018)

5.6 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. In accordance with paragraph 48 of the NPPF the Draft Plan policy D5 can be afforded limited weight.

DEVELOPMENT CONTROL LOCAL PLAN (2005)

5.7 The Development Control Local Plan (DCLP) was approved for development management purposes in April 2005. Whilst the DCLP does not form part of the statutory development plan, its policies are considered to be capable of being material considerations and can be afforded very little weight in the determination of planning applications where policies relevant to the application are consistent with those in the NPPF.

ASSESSMENT

5.8 The statutory duties contained in section 16 of the 1990 Act are in addition to government policy on heritage assets contained in Section 16 of the NPPF. The NPPF classes listed buildings as "designated heritage assets". Paragraph 190 of the NPPF advises that the particular significance of a heritage asset that may be affected by the development proposal should be identified and assessed. Paragraph 192 states with regard to heritage assets that when determining applications local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

5.9 Paragraph 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Para 194 goes on to say that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Paragraph 196 states that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

5.10 The Courts have held that when a local planning authority finds that a proposed development would harm a heritage asset the authority must give considerable importance and weight to the desirability of avoiding such harm to give effect to its statutory duties under the 1990 Act. The finding of harm to a heritage asset gives rise to a strong presumption against consent being granted.

5.11 The application site is referred to on the statutory listing as 'Railwaymen's Club and Institute, 22, 24 and 26 Blossom Street'. It states that the building was two houses and warehouse, now railwaymen's club. The building dates from 1789 and altered early c19 and 1934.

5.12 The building was constructed by John Horner as a pair of dwellings of unequal size pierced by a central carriageway leading to a warehouse (No. 24) behind. The building is brick built, three storey (plus attics) and slate roof with substantial brick chimneys, timber fenestration and a timber, eaves cornice to the front elevation.

5.13 The building previously occupied a much larger, linear plot, however land to the rear was sold off in 2013 and now forms a private car park. However the 1892 OS map shows the linear plot previously containing extensive ranges of historic outbuildings, including the warehouse (No. 24), stables, yard and other outbuildings to the rear of both No. 22 and 26. The date of the demolition of the warehouse is unknown, however no reference is made to the warehouse or other outbuildings in the list description dated 1971.

5.14 The York Railwaymen's Club took over ownership of the building and rear yard in 1927 from the North-Eastern Railway (N.E.R) who used it as residences of the York stationmaster and railway inspector. The Club subsequently made extensive internal and external alterations to adapt the building to its new use as a Working Men's Club. Extensions were added to the rear to form a concert/ball room and toilets with the external carriageway incorporated into the footprint of the building.

5.15 The heritage significance of the application site, the buildings and yard, relates to its historical value; the central carriageway is an unusual characteristic in York

and it is one of the earliest three storey houses outside the city walls and contributes highly to the architectural and historic character of this part of the York Central Historic Core Conservation Area. Additionally, the heritage statement assesses that the building has aesthetic values derived from the building being designed with consideration for visual impact of the structure's appearance, not just with function in mind. Furthermore, the properties have been home to a number of notable people, which contributes to the historical associative value.

5.16 The existing c20 extensions are unsightly and have a negative impact upon the aesthetic and historical significance of the listed building and their removal will help to better reveal the architectural details of the building. The reinstatement of the external carriageway and principal access point from Blossom Street along with how this will be made secured, the removal of the white paint from the front facade and restoration of historic fabric are all welcomed. Revisions have involved the reduction to the number of rooflights within the rear roof slope from 3 to 1, removing modern insertions. There would be some infill brickwork where required, to match the existing building and air bricks to match the brickwork would be inserted within the rear elevation in order to facilitate the installation of the mechanical ventilation. The proposals also seek the reinstatement of a dormer window in the front elevation, with historical photographs indicating this was an original feature.

5.17 There has been substantial alterations since the original submission in respect to the internal alterations. This has included the removal of the proposed lift in order to be able to reinstate the original staircase and landing. The original plan form and layout has been reintroduced wherever possible; and to avoid significant losses of historic fabric as a result of alterations to the roof trusses, the third floor flat has been removed from the scheme reducing the amount of alteration at this level. The amalgamation of the lower ground floor flats with the ground floor flats has also been a part of the revised proposals, and allows for the reinstatement of the staircase for no. 26 Blossom Street. In order to provide residential uses within the building, they will require bathroom services that are unable to be provided within the existing building fabric. The subdivision of rooms to provide bathroom 'pods' has been carefully considered their detail can be secured by condition.

5.18 The revisions to the scheme including the reintroduction of the original plan form based on surviving evidence and professional opinion, including the reinstatement of the carriageway and the staircases as well as works that would remove harmful alterations that have been undertaken are considered to be a major benefit and better reveals the heritage significance of the listed building and will offset any harm that some of the other alterations may cause. However, despite the above, the proposals however will not override all harmful alterations and will introduce elements that are considered to result in harm; its sub-division to form the number of flats proposed will result in the removal of small sections of historic fabric and bathroom pods will be inserted into rooms on the first and second floor resulting in harm to the historic and aesthetic values that contribute to the significance of this

heritage asset. Paragraph 193 advise that great weight should be given to the asset's conservation, the more important the asset, the greater the weight should be.

5.17 The significance of this listed building lies in its historical and aesthetic values and the level of harm arising from the proposals upon these values has been assessed as resulting in less than substantial harm to the significance of this designated heritage asset. In line with paragraph 196 of the Framework, this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use.

5.18 The applicant has set out the public benefits of the proposal, which includes;

- repair, restoration and enhancement of the vacant heritage asset, halting its further decline;
- sustainable and viable use of the listed building for residential uses (reverting back to its original use);
- provision of a number of small residential units in a sustainable location within the city centre

5.19 The overarching proposal will provide 16no. residential flats, with 8 of these being provided within the listed building itself. The location is close to public transport links and local shops and services, reducing the need to travel. The NPPF sets out in paragraph 8 (b) that one of the three overarching objectives to achieving sustainable development is a 'social' objective, which seeks to support strong, vibrant and healthy communities by ensuring that a sufficient and range of homes can be provided to meet the needs of present and future generations. The building would be converted back to its original use, residential, albeit split into flats, rather than two separate dwellings. There would be a temporary economic benefit in terms of construction jobs. The works are considered to protect the historic environment, one of the environmental objectives set out in paragraph 8 (c) of the Framework.

5.20 The harm to the listed building has been assessed at less than substantial harm, considerable importance and weight has been given to the desirability of avoiding such harm, on assessment the proposals are considered to represent a public benefit that would outweigh the identified harm to this grade II listed building.

6.0 CONCLUSION

6.1 No. 22-26 Blossom Street is a Grade II listed building and its significance derives from its historical and aesthetic values. The internal and external alterations, including the removal of c20th extensions and the re-introduction of the original plan form and layout and reinstatement of features, such as staircases and the carriageway are considered to be of better and better reveal the significance of this heritage asset. The public benefits demonstrated by the application are considered to outweigh the less than substantial harm to this heritage asset. The

application is considered to comply with the requirements of NPPF and Policy D5 of the Publication Draft Local Plan (2018).

7.0 RECOMMENDATION: Approve

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

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

130 P02 Proposed Elevations Front Elevation 01 (SE); 133 P01 Proposed Elevations/Sections Rear Elevation 04 (NW); 134 P01 Proposed Elevations/Sections Section 05 (NW); 109 P01 Proposed Lower Ground Floor Plan ; 110 P02 Proposed Ground Floor Plan; 111 P02 Proposed First Floor Plan; 112 P02 Proposed Second Floor Plan; 113 P02 Proposed Third Floor Plan; 135 P01 Proposed Elevations/Sections Side Elevations 06 (NE); 139 P01 Proposed Elevations/Sections Side Elevation 10 (SW)

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

3 Prior to the commencement of development (excluding demolition) of the existing (standing) building, details of the ventilation system shall be submitted to and approved in writing by the Local Planning Authority. The ventilation strategy shall be installed and operational prior to first occupation of any of the residential flats contained within this building.

Details should be provided of the location and specification of all new services, including flues, extracts and vents. Scaled cross sectional drawings should be provided to demonstrate the routing of the ventilation system internally. You are advised to avoid features of special architectural or historic interest.

Reason: So that the Local Planning Authority may be satisfied with the location finished appearance of these details prior to the commencement of building works to protect the special architectural or historic interest of this listed building and to comply with the National Planning Policy Framework.

4 Prior to the commencement of development (excluding demolition) of the existing (standing) building, details of the location and specification of all new services (other than those required for the ventilation system) including flues, extracts or vents shall be submitted to and approved in writing by the Local Planning Authority and thereafter constructed only in accordance with the approved plans.

Reason: So that the Local Planning Authority may be satisfied with the location

finished appearance of these details prior to the commencement of building works to protect the special architectural or historic interest of this listed building and to comply with the National Planning Policy Framework.

5 Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, details shall be submitted to and approved in writing by the Local Planning Authority to illustrate the colour, texture and bonding of brickwork and mortar treatment to be used for the infill areas to the rear elevation prior to the commencement of the demolition of the 20th century extensions. The infill works to the rear elevation shall be carried out using the approved details.

A sample panel of brickwork shall be erected on site.

Reason: So that the Local Planning Authority may be satisfied with the finished appearance of these details prior to the commencement of demolition works in view of their sensitive location and to protect the special architectural or historic interest of this listed building and to comply with the National Planning Policy Framework, specifically section 16 and Policy D5 of the City of York Publication Draft Local Plan (2018).

6 Notwithstanding what is shown on the approved drawings, prior to the commencement of the demolition of the 20th century extensions to the existing building, scaled elevations and cross sections of all new windows including the dormer window shall be submitted to and approved in writing by the Local Planning Authority and installed only in accordance with the approved details.

i. elevation and vertical cross section through all new windows (scale 1:5) illustrating inter alia window head, windows and sills.

ii. cross section through windows (scale 1:1) illustrating inter alia frames, glazing bars, spacers, and gaskets and fixers for single glazed units.

Reason: So that the Local Planning Authority may be satisfied with the finished appearance of these details prior to the commencement of building works in view of their sensitive location and to protect the special architectural or historic interest of this listed building and to comply with the National Planning Policy Framework, specifically section 16 and Policy D5 of the City of York Publication Draft Local Plan (2018).

7 Notwithstanding what is shown on the approved plans and prior to works commencing on site (excluding demolition) to the existing (standing) building, full details (scaled drawings and sections) including design and materials of the new (one) rooflight shall be submitted to and approved in writing by the Local Planning Authority and installed only in accordance with these approved details.

Reason: So that the Local Planning Authority may be satisfied with the finished appearance of these details prior to the commencement of building works to protect the special architectural or historic interest of this listed building and to comply with the National Planning Policy Framework.

9 Prior to the occupation of any residential property hereby permitted, scaled details including its design and materials of the gates to Blossom Street shall be submitted to and approved in writing by the Local Planning Authority. The gates shall be installed as approved and maintained in the approved form for the lifetime of the development.

Note: No gate shall be fitted so as to open outwards over the adjacent public highway.

Reason: So that the Local Planning Authority may be satisfied with the finished appearance of these details to protect the special architectural or historic interest of this listed building and to comply with the National Planning Policy Framework.

10 Prior to construction of the bathroom/toilet pods within the rooms marked as AP1, AP3, AP4, AP6, AP7 on the approved floor plans, drawings showing the proposed elevations and cross sections of each bathroom or toilet pods shall be submitted for the written approval of the local planning authority. All works shall be carried out and maintained in accordance with the details so approved.

Reason: To protect the special architectural or historic interest of the listed building and to comply with paragraph 193 of the National Planning Policy Framework.

8.0 INFORMATIVES:

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