

COMMITTEE REPORT

Date: 9 November 2023

Ward: Micklegate

Team: West Area

Reference: 23/01640/LBC
Application at: York Station Station Road York
For: Internal and external alterations to front entry portico to include enclosing area with glazing to create pedestrianised and retail space with 2no. retail pods, repaving in Yorkshire flagstones, repairs to brickwork, re-pointing, repair rainwater goods, reinstate pigeon spikes, removal of external canopy and repair and repaint roof structure
By: London North Eastern Railway LTD
Application Type: Listed Building Consent
Target Date: 14 November 2023
Recommendation: Refuse

1.0 PROPOSAL

1.1 Listed building consent is sought for internal and external alterations to the front entry porte-cochère (sometimes referred to as a portico) at York Railway Station. The proposals seek to create a semi-indoor environment through glazing of the existing opening and the introduction of retail pods within this space.

1.2 In summary, the proposals include:

- glazing to openings
- introducing 2no. retail pods along with seating area and barriers
- repaving in Yorkshire flagstones
- removal of the bus canopy and restoration of façade (made good)
- removal of redundant clutter (such as cables)
- installation of digital advertisement panels (4 in total)
- 2no. departure screens
- refurbishment/restoration of the porte-cochère. These works include:
 - repairs and repointing to brickwork/stonework where spalled, weathered and fractured
 - reinstatement of missing bricks
 - repair of rainwater goods and painted in heritage colour to match original
 - general cleaning to remove debris and vegetation growth
 - repairs and repainting of roof structure and timber boarding, where required

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- reinstatement of pigeon spikes

1.3 The Applicant has updated the proposed plans removing the reference to the taxi kiosk as a 'future information point', outlining that it will be retained as an office for the station's hackney carriage firm, Station Taxis. The plans have also been updated removing additional advertisements on the eastern external elevation.

1.4 This application is a resubmission of a refused scheme for similar works to enclose the portico (Ref: 23/00114/LBC).

1.5 York Railway Station was constructed in 1872-7 to designs by Thomas Prosser, Benjamin Burley and William Peachey. Additions were made in 1900-9 and 1938-9. In 1942 the station was bomb damaged, repaired in 1947. The railway station features a porte-cochère, leading to the outer concourse and through to the inner concourse (known as the frontage building). The frontage building is constructed in Scarborough yellow brick and is backed by the sharply curved trainshed of wrought iron arches on cast iron columns and further later platforms and awning. The frontage building provides the main entrance to the station and was originally a symmetrical design with the porte-cochère, inner and outer concourses flanked by two storey wings. The wing to the north was subsequently extended upwards with the provision of a second floor, which are now occupied by British Transport Police. The southern wing was severely damaged during the air raid of April 1942 and at first floor only the external walls remain.

1.6 The railway station is Grade II* listed and is located within the Central Core Conservation Area and specifically within character area No. 22: Railway Area. For clarity, referring to the porte-cochère is the correct architectural terminology, which is French for a carriage porch, allowing carriages to draw up at an entrance and passengers to alight undercover. A portico is an open porch generally for pedestrian use. Both terms could be used but porte-cochère is more accurate and as the Station's portico, designed and still functioning as a porte-cochère to accommodate vehicles setting down and picking up passengers, this term will be used in most instances throughout the report.

Relevant Planning History

23/00114/LBC Internal and external alterations to front entry portico to include enclosing area with glazing to create pedestrianised and retail space with 2no. retail pods, repaving in Yorkshire flagstones, repairs to brickwork, re-pointing, repair rainwater goods, reinstate pigeon spikes, removal of external canopy and repair and repaint roof structure; Application Refused 18.04.2023. The reason for refusal cited the following:

“The aesthetic and architectural interest of York Station and in particular its porte cochère are a major part of York's heritage significance. The architectural feature is not only important in external views, contributing to the setting of other heritage assets including the Scheduled City Walls, but also in terms of how the Station is experienced internally. It is also sits within the Railway Area of the York Central Historic Core Conservation Area and has a positive contribution within this setting.

There is currently a clear architectural language displayed by the porte cochère that symbolises its original design intention. The proposals to glaze the porte cochère confuse an appreciation of the aesthetic and architectural special interest of the heritage asset. The variety of glazed enclosure methods and the details proposed all add to a 'clutter' that detracts from the space. In addition, the significance and setting of the taxi rank which is listed in its own right and is, at present, the only freestanding structure within the porte cochère will be compromised by the proposed introduction of the two retail pods. The proposed retail pods will reduce how the interior of the porte cochère is experienced, reducing its legibility as a grand entrance/ exit that was intended to be enjoyed as a grand volume.

For these reasons, the proposal would result in less than substantial harm to the significance of a designated heritage asset, and in accordance with paragraph 202 of the National Planning Policy Framework 2021, this harm should be weighed against the public benefits of the proposal. Public benefits relating to the proposals have not been demonstrated that would outweigh the identified level of harm. The proposal would, therefore, conflict with the NPPF, Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy D5 of the Publication Draft City of York”

1.7 There is extensive planning history relating to development within and surrounding the station. Directly relevant to the proposals are the permissions (19/00535/FULM and 19/00542/LBC) relating to the redevelopment of the approach to the Station and the station frontage, referred to as the York Station Gateway (YSG). The approved applications impact how the porte-cochère may be used in the future. These applications secured the re-paving and pedestrianisation of the porte-cochère, relocating the taxi rank and drop off/pick up to the cleared Parcel Square area of the station. The YSG will also provide a new pedestrian crossing directly in front of the porte-cochère's centre arch. The YSG proposals included no specific uses for the porte-cochère.

2.0 POLICY BACKGROUND AND LEGISLATIVE CONTEXT

Planning (Listed Buildings and Conservation Areas) Act 1990

2.1 The Railway Station (including York Tap (formerly Ladies Tea Room) is Grade II* listed. Within the Portico is the Grade II listed Taxi Kiosk. Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states 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.

2.2 Case law has made clear that a finding of harm to a listed building or its setting is a consideration to which the decision-maker must give considerable importance and weight when carrying out the balancing exercise to give effect to its statutory duties under sections 66 and 72 of the 1990 Act. There is a "strong presumption" against the grant of planning permission in such cases.

Planning and Compulsory Purchase Act 2004

2.3 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that an application is made in accordance with the development plan unless material considerations indicated otherwise. The Council does not have a formally adopted local plan.

National Planning Policy Framework (NPPF)

2.4 The NPPF sets out the government's planning policies for England and how these are expected to be applied.

2.5 NPPF paragraph 7 sets out that the planning system should contribute to the achievement of sustainable development. To achieve sustainable development, the planning system has three overarching objectives: economic, social and environmental (para. 8). Paragraph 10 advises that at the heart of the NPPF there is a presumption in favour of sustainable development. Paragraph 11 of the NPPF provides that planning decisions should apply a presumption in favour of sustainable development.

2.6 Section 16 is considered to be of most relevance to this application which considers the conservation and enhancement of the historic environment. Paragraph 189 states that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Further analysis of the relevant NPPF policies are detailed at paragraphs 5.11 to 5.14 of this Report.

Draft Local Plans

2.7 The City of York Draft Local Plan (DLP) was submitted for examination on 25 May 2018 which four rounds of hearings undertaken to date. In accordance with paragraph 48 of the NPPF (as revised), the relevant 2018 emerging plan policies are capable of being a material consideration in the determination of planning applications. Policies from the emerging plan which are considered relevant and can be attached moderate weight due to their compliance with the NPPF and lack of unresolved objections include:

D5	Listed Buildings
T3	York Railway Station and associated operational facilities

2.8 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.

2.9 Policy D5 of the DLP states that proposals affecting a listed building or its setting will be supported where they (i) preserve, enhance or better reveal those elements which contribute to the significance of the building or its setting. The more important the building, the greater the weight that will be given to its conservation; and (ii) help secure a sustainable future for a building at risk; (iii) are accompanied by an appropriate, evidence based heritage statement assessing the significance of the building. Harm to an element which contributes to the significance of a listed building or its setting will be permitted only where this is outweighed by the public benefits of the proposal. Policy D5 aligns with the requirements of the NPPF.

2.10 Policy T3 of the DLP relates to York Railway Station and Associated Operational Facilities. It states that development will be supported that i) conserves and where appropriate enhances those elements that contribute to the significance of the Grade II* station and ii) improves the setting of and approaches to the station and the experience of those using it to meet the demands of the modern rail customer.

Conservation Development Strategies

2.11 There are two conservation development strategies produced at different times and for different purposes; they do not form part of the evidence base underpinning the DLP but can be a material planning consideration in the determination of planning applications. Both documents set out the historical development and

current use of the station, its approach and establishes the inherent characteristics and heritage significances of the station and its surrounds.

- York Station Conservation Development Strategy (CDS) (October 2013) prepared by John Ives of PPIY Limited, on behalf of East Coast Main Line Company, in association with the City of York Council, the Railway Heritage Trust and Network Rail with input from Historic England

2.12 The CDS states that in developing future proposals for the station, the value of the significant features must be taken into account and protected. One of the most important of these is the porte-cochère and concourse areas. The CDS specifies that any works must preserve the integrity of the brickwork structure, taking care not to obscure or damage the fabric by unnecessary alterations, signs/advertising displays or ill-placed trading units. Further in the document and with specific reference to the potential for development, it states that consideration could be given to glazing the arched areas and that the porte-cochère is a significant space and its future development should allow continued appreciation of this, whether road vehicles continue to be allowed inside or not.

- York Station Conservation Management Strategy (CMS) (November 2020) produced by Alan Baxter Ltd, prepared for Network Rail.

2.13 It is outlined in the CMS (Chapter 9, Section 9.4 Conservation Design and Development Guidance) that in respect to the porte-cochère, its architectural character and historical function as a semi-open threshold should be respected. It should remain primarily a station entrance with priority given to generous and intuitive passenger flow. Complimentary activity should be considered providing that it is manifestly secondary in footprint, location and design to passenger movement. Removing the attached bus shelter would do much to restore its architectural presence and create a more dignified entrance to the station.

2.14 It is highlighted in the CMS (Chapter 8, Section 8.8 Conservation Management: Outer Concourse and Porte-Cochère) that the orientation of the porte-cochère and outer concourse from the street can be confusing because no single route through the porte-cochère has precedence and the retail and pop up stalls in the concourse, not to mention the old NER signal, blunt the clarity of the original axis. The intention to give primacy to the axial route across the centre of the porte-cochère, added to the removal of taxis, will help to remedy some of that confusion.

2.15 It is noted that the existing glazed screens and easterly orientation already provide a high degree weather protection. The CMS set out that the space could be used as an attractive anteroom to the station, but would need to be carefully

controlled, in the design of facilities, signage and lighting with the route to the street and city centre remaining the prime function.

Other guidance

- Department for Transport Inclusive Mobility: A guide to best practice on pedestrian and Transport Infrastructure (December 2021) (“the Guide”)

2.16 This guidance sets out good practice in the creation and maintenance of an accessible and inclusive built environment and public realm. It should be considered an essential document for those seeking to produce an inclusive environment and meeting the requirements of the Act, including the public sector Equality Duty, and other legislation.

2.17 Specifically, this guidance sets out general factors stating in para. 3.2 that a wheelchair and a non-wheelchair using person side-by-side need 1500mm width. The recommended walking distance limit without a rest for those with a walking stick and crane users is 50m (para 3.4).

2.18 It is further outlined in section 11 ‘Transport Buildings: access and facilities’ . Paragraph 11.2 of the Guide states that if possible, entrances to stations should not have doors, though this is not always feasible, for reasons of security or climate control. Where there are doors, they should preferably be automatic, linked either to a weight sensor or to sensors mounted above the door.

3.0 CONSULTATIONS

INTERNAL

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

3.1 I do not consider that the current scheme represents a significant improvement in comparison with the refused scheme. Although the subdivision of the glazing to the large archways is better proportioned and more elegant, the positioning of the glazing within the reveals of the masonry would be more detrimental than the recessed curtain glazing in the former scheme. The opening up of original entrances on the east front would probably be acceptable in the light of the evidence of the original design, but the removal of an interesting and well-executed early intervention is not without heritage impact.

3.2 The retail units remain highly intrusive structures and the changes to form and materials do not alter their essential impact on the character of the space, which in conjunction with the barriered seating areas would be one that radically changed the

feel and function of the space as a grand and generous open portico designed for comfortable entry to and departure from the station.

3.3 The use of flagstone paving would be preferable to a smaller format stone, but that can be controlled through the permitted 2019 scheme.

3.4 There are a number of public benefits that can be weighed against the identified harms, and I accept that many of these would be positive outcomes, but I question whether a) the full extent of enclosure and the degree of commercial infrastructure proposed are necessary to secure them all; and b) whether they are of a sufficient magnitude to outweigh the significant harm to the heritage significance of the II* listed building.

3.5 The alterations to the building (glazing, doorways, new structures) appear to be driven principally by anticipated requirements of operators of the proposed commercial uses, but the LPA has previously rejected the construction of two permanent retail units and associated structures within the porte-cochère due to the effect on its special spatial character and the setting of the listed taxi office, cited in its reason for refusal of application ref. 23/00114/LBC. The current proposal is not substantively different to the former one and I remain of the view that the scheme lacks clear and convincing justification.

EXTERNAL

Historic England

3.6 We do not object to the proposal but wish to offer advice on matters of design and detail that we feel need to be addressed to ensure the benefits of the scheme are achieved, and to meet the requirements of Chapters 12 and 16 of the NPPF.

3.7 It is recognised that public benefits will be achieved by the scheme, however there will be some harm caused to the significance of the Grade II* station, primarily as a result of 'glazing in' of all the openings.

3.8 The Station is clearly visible from the ancient Scheduled City Walls and in this sense serves to orientate visitors in relation to the historic core, marked by the Minster and this key point of arrival. The depth of the openings in the arched frontage are important in terms of appreciating the function of the portico as a structure to be moved thought, from the City Walls and approaches to the station from within the Conservation Area.

3.9 Glazing – the greatest impact on the building will result from the addition of structural glazing to all of the openings. This will fundamentally change the historic

character of the space as an area that is semi-open which ties in with its transitional function.

3.10 The structural glazing impact will be felt to greatest effect at the north and south openings. The depth of the glazing will allow enough shadow depth to be achieved to maintain the legibility of the original open character of the arch when approaching from outside. However, the visual change will be most clearly felt internally where the sections of full height glazing will slightly obscure the architectural detailing behind. The alignment of the vertical steel mullions with the stone in the keyed segmental arches running down to portal frame, defining a centralised doorway is a positive design response.

3.11 Retail pods- these are relatively modest in terms of size and scale to the height and depth of the portico. The zinc roof and cedar cladding will provide a simple contrast to the bold brickwork and openings of the Portico.

3.12 Flooring- the alignment of the stone paving in different areas could be strengthened by the use of different sizes and shapes of paving. The alignment should be clearly defined in more detailed drawings of the different zones.

3.13 Grade II listed taxi cab kiosk – there is the opportunity for this structure to be celebrated within this scheme. More detail should be provided regarding the short, medium and long term plans for the repairs to this structure and any alterations that may be required to facilitate its new use.

3.14 Detailed matters

- moveable banners – need consistency of size, position and design. As potentially quite intrusive new features of the space, their size and number should be limited to avoid cluttering the space.

- backlit signage for north and south entrances – needs to be a consistent approach to colours and design

- manifestations on the sliding glass door – we suggest detailed designs should be carefully considered in the context of the wider gateway project.

3.15 We consider that the case has been made for the public benefits resulting from the proposal could be considered to outweigh the harm to the heritage significance of the station building. The success of a scheme of this nature relies not only on a close adherence to the submitted plans and the choice of materials but also on everyday operational management, an aspect that is largely outside the control of the planning system.

3.16 It is in the interests of the station operator to maintain the quality of their investment but details secured by condition, of signage and storage standards for

retailers and the regular cleaving of glazing and stonework would provide an assurance that important everyday consequences have been fully covered.

Micklegate Planning Panel

3.17 Objection; the retail unit at the northern end of the Station should be removed because it will impede the free flow of pedestrians, the majority of whom will use the northern entrance and cut across the proposed Piazza because that is the shortest route between the Station and the city centre.

Council for British Archaeology (CBA)

3.18 The CBA object to this application. The proposed 'glazing in' and use of York's station's porte-cochere for a pair of retail pods would be a missed opportunity to create an impressive welcoming space at this gateway to the city that identifies York's special interest and identity. This commercial use, duplicating an existing offer, is at odds with paragraph 197 of the NPPF. We also believe paragraphs 200 and 202 not to be met.

3.19 In order to retain the character and significance of the porte-cochere the CBA believe the principle north and south openings should remain open and unglazed. We question the premise that these routes will become less used by pedestrian users of the station.

3.20 Rather than commercialising the space it could be used to showcase the city's identity and heritage; there are many pop up uses that could be hosted within the porte-cochere that do not require construction of these permanent features that would entail subdivision and enclosure of the space, This application follows precedents for similar works at stations including Newcastle Central where the glazing in and introduction of free-standing, commercial pods in the porte-cochere has not created a welcoming space at all but rather a dead space with opportunities limited by the permanent fixtures.

4.0 REPRESENTATIONS

4.1 The application has been advertised by site and press notice. 5 letters of objection including one on behalf of York Disability Rights Forum have been received and these can be summarised as follows:

- priority remains of creating a café rather than making life easier for passengers
- removing vehicles from inside the portico will result in passengers having to walk further to reach main parts of the station, which is not an improvement
- passengers will begin their journey exposed to the elements

- negatively affect wheelchair users and other disabled passengers
- Blue Badge parking is still further away than at present and will now involve an uncovered route into the station
- no assessment of potential harms to accessibility caused by the scheme and the necessary mitigations to avoid them
- benches reduced from 9 to 6
- the only seating proposed that is not part of a café pod is the seating currently in place
- the proposed doors to the north and south are actually narrower than the current pedestrian exits and lead to congestion and pinch points. These doors are below the recommended clear opening width contained within the government's Inclusive Mobility guidance
- use of glass for the doors and surrounding wall panels is a hazard for visually impaired people
- use of current station taxi office as a customer information point is concerning; the building is not currently accessible as there is a step and therefore the building is entirely unsuitable for this purpose
- no Equality Impact Assessment been undertaken
- assumptions made regarding pedestrian flows of the north and south compared to the central entrance are spurious assumptions not meticulous, evidence-based planning and transport policy
- contradiction; the concern for appreciation of the original purpose of the space yet saying it is not viable without adding commercial units
- already plentiful opportunities to eat and drink within the station complex
- the principal purpose of the built environment is function and that should be in a way that benefits all users

5.0 APPRAISAL

5.1 Key Issues:

- Impact of the works on the special architectural and historic interest of York Railway Station (Grade II*)
 - Significance of station
 - Considering potential impacts
- Public Sector Equality Duty
- Conclusion of Harm
 - Public Benefits

ASSESSMENT

Significance of station

5.2 In order to understand the potential impacts of the proposal on the significance of any heritage asset, the significance of the heritage asset in question should be described by the applicant, including any contribution made by their setting, with the level of detail proportionate to the assets importance and no more than is sufficient to understand the potential impact (NPPF para 194).

5.3 There are many sources of information setting out the significance of the station. Along with the Applicant's Design, Access and Heritage Statement the LPA has consulted both conservation development strategies as set out in Section 2 (para's. 2.10 – 2.13 above) of this report in order to identify and assess the particular significance of the Railway Station and more specifically the porte-cochère. In understanding the heritage significance of an asset, Historic England in their document, Conservation Principles, Policies and Guidance for the Sustainable Management of the Historic Environment, sets out the criteria for understanding its heritage values, Evidential, Value, Historical Value, Aesthetic Value and Communal Value.

5.4 Overall, the Railway Station is of high significance which is derived from the aesthetic values for its majestic curve of the train shed with fine arches and cast-iron detailing as well as the structural innovation in its design having historical value. The main station buildings (the porte-cochère, the entrance building and the two concourse wings) have retained much of their appearance (the south concourse wing the result of a sensitive rebuilding after wartime damage).

5.5 The original historical layout of the concourse area survives intact and is mostly still in use as intended; the symmetrical arrangement of the inner and outer concourses have historical and evidential value, with also communal interest as a key focus on passenger activity and contributes high significance. The quality and consistency of the station however is compromised by later additions. The interiors are mostly low grade and substantially altered.

5.6 Furthermore, the context of the station in relation to the city, the City Walls and Queen Street site also contributes to its significance. The station serves as a major entrance to the city and faces the city ramparts and walls. The city has strong links with railway history and much of the historic railway environment around the station survives. The station is also a daily facility for countless railway workers, commuters and tourists, adding high historic and communal values to the significance of the station.

5.7 The significance of the porte-cochère is derived in part from its architectural character and in part from its historical function as a semi-open threshold. Sometimes referred to as the 'Portico', it is the principal architectural element of the station entrance. It functions as a transitional zone between the station and the city,

marking arrival and departure. The porte-cochère fronting the station building covers a roadway serving taxis as it once served horsedrawn carriages. It has always been a semi open structure used for passenger movement.

5.8 The porte-cochère is designed with nine segmental arches, glazing panels installed to the eastern elevation arches in 1905. Attached to the front elevation of the porte-cochère is a cantilevered double-sided clock (c1880) which does not contain its original mechanisms and it is lacking a section of the timber surround. The only alterations it has undergone have been the addition of the bus shelter canopy (in 1940), together with adjustments to the glazing and making of a central opening for passengers wanting to go and from buses.

5.9 Inside the porte-cochère, in the north-eastern corner is the taxi kiosk (c.1900) which is Grade II listed in its own right (List entry Number: 1256557). It is attributed historical value for being a rare survivor of what was a common feature on railway stations, analogous to the better-known London cabmen's shelters. The contrast of its simple diagonal panelling and round arched windows with the tall arches of the porte-cochère gives it some aesthetic value in terms of its visual contribution to the porte-cochère. Alan Baxter's Conservation Development Strategy suggest that the taxi kiosk was extended in the 1940s.

5.10 There are other heritage values associated with other areas of the station, and they are still recognised, however these proposals do not impact upon them directly.

Considering potential impacts

5.11 The NPPF (para 199) outlines 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). Further in para. 200, any harm to, or loss of, the significance of a designated heritage asset, should require clear and convincing justification.

5.12 Paragraph 197 of the NPPF sets out that LPAs should take account of the following when determining applications:

- 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.

5.13 Further paragraph 206 of the NPPF outlines that LPAs should look for opportunities for new development within conservation areas and the setting of

heritage assets, to better reveal their significance. Proposals that preserve those elements of the setting which make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

5.14 The NPPF makes a distinction between proposals which cause 'substantial harm' to a designated heritage asset (paragraph 201) and those which lead to 'less than substantial harm' (paragraph 202). Different tests are applied accordingly. Paragraph 202 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Taking each part of the proposals in turn:

Glazing of the Porte-Cochère

5.15 On the front, eastern elevation, the proposal seeks the infilling of the three central arches with glass sliding doors with infill glass above. The two balustrades to the archways flanking the existing entrance bay will be removed. The previous proposal sought this arrangement for only the central arch, which is currently open to allow access to the existing bus stops. The 6no. remaining arches will be infilled with glass, with the stone balustrades retained. The external canopy that extends across the eastern elevation will be removed.

5.16 The Conservation Officer has stated that following an on-site examination, the two bays flanking the existing entrance are concrete castings, and a study of an 1877 drawing suggests that they were originally open, albeit infilled by the 1890s. The opening of these bays would reverse an interesting and very early intervention, but support the objective of the station gateway project in directing travellers towards the eastern front as the principal entrance and exit to the station; and would restore an imposing element of the original façade design.

5.17 On both side elevations (north and south) it is also intended to infill the arches with glazing to create new glass sliding doorways. The current scheme seeks a more elegant subdivision, reducing the number of panes from the previous scheme from 16 to 8. The size of the doorway is also reduced and centred. The infilling structure to the archways in the north, east and south elevations is brought substantially forward to occupy the reveals of the masonry with the glazing being set 215mm back from the external face, rather than the internal 'curtain glazing' construction of the refused scheme. Whilst the subdivision of the glazing to the large archways is better proportioned and more elegant, the positioning of the glazing within the reveals of the masonry would be more detrimental than the recessed curtain glazing proposed in the refused scheme. The result being that

there will not be any effective impression of 'shadow depth' and the glazing will have a much greater impact externally, from where it will not appear subordinate or recessive and detract from the legibility of the intervention as a lightweight modern addition to historically open arches.

5.18 The principal concern, shared by heritage consultees (the Council's Conservation Officer and Historic England) however relates to the principle of the glazing of the Porte-cochère, which will fundamentally change the historic character of the space as an area that is semi-open which ties with its transitional function.

Installation of Retail Pods

5.19 Following from the refused application, the retail units have been reconfigured as more elongated, timber-clad structures with canted leading corners to ease views. At their, widest point, they would measure 9.6m x 3m and would be 2sqm larger than those sought under the previously refused scheme (measuring 6.5m x 4m). The former design for the units also incorporated two glass walls, with the effect being of a lighter weight structure. The scale and areas of barriered seating are broadly similar, occupying the north western and south western corners of the Porte-cochère.

5.20 The retail units remain highly intrusive structures and the changes to form and materials do not alter their impact on the character of the space, which in conjunction with the barriered seating areas would add visual clutter to this space and radically changing the feel and function of the space as a grand and generous open portico designed for comfortable entry to and departure from the station, in addition to limiting the areas for circulation and pedestrian movement throughout the building.

5.21 At present, the taxi kiosk is the only freestanding structure within the Porte-cochère. This is listed in its own right and is a rare survivor of what was a common feature on railway stations. The proposed retail units will compromise its setting and reduce its visual prominence.

5.22 The construction of permanent structures and the erection of barriers to define ancillary seating would subdivide and commercialise the space in a manner that would be alien to its historical function and open character and undermine its grand volume. It would also undermine the sense of the architectural legibility of the wider station building, which is a highly Victorian sequence of distinct spaces designed through form, scale and architectural treatment for different functions. From the scale and grandeur of the train shed, the roof continuing over the inner concourse, to the more intimate enclosure of the original booking hall under its hammer beam roof, which now functions as a sort of entrance hall, and out into the semi-open

porte-cochère as a genuinely transitional structure between station and city, the general visitor would be less able to readily appreciate the distinctive character of the sequence of spaces if the porte-cochère were enclosed and commercialised as proposed. It is considered that the proposal would significantly erode architectural and historical significances of the listed building and that the harm would fall at the higher end of the less than substantial category.

5.23 Concerns regarding the siting of the retail pods are shared by a number of objectors, particularly those with mobility issues. Despite there being no concern from Historic England, there remains concern regarding the proposed material palette, although it is recognised that this could be dealt with through condition should the application have been found to be acceptable in other respects.

Paving

5.24 The proposed floor paving design is slightly modified from the previous scheme, suggesting a larger format of paving stone. Brass stud tactile paving is also incorporated into the floor finish. Historic England have suggested the alignment of the stone paving in different areas could be strengthened by the use of different sizes and shapes of paving and the alignment more clearly defined in details drawings of the different zones. The Council's Conservation officer has suggested that the use of flagstone paving would be preferable to a smaller format stone, but the approach to the paving could be developed through condition.

Other design matters

5.25 Historic England has commented on the need for consistency with approach to size, position, design and colours of any moveable banners and signage as well as manifestations on the sliding glass doors. Moveable banners have the potential to clutter the space. It is recognised that these design elements could be dealt with through conditions should the application be found to be acceptable in other respects.

Other issues raised

5.26 Concern has been expressed by a number of objectors with respect to the closure of the portico for taxi drop off and pick up. It should be noted that the principle of closing the porte-cochère to vehicles and also the relocation of the taxi area, short stay parking (including disabled parking) has already been granted consent as part of the Station Gateway works approved under 19/00535/FULM.

Public Sector Equality Duty

5.27 The proposal will have an impact on users of the Station and the Porte-Cochère which will undoubtedly include disabled users. Rather than creating an open obstacle-free transitional space, the provision of retail units along with barriers would subdivide and enclose the space, creating obstacles and further tunnelling users to the pre-determined axial routes. Disability is a protected characteristic under the Equality Act 2010. (The other protected characteristics under the Equality Act 2010 are age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation and should not be wholly disregarded).

5.28 Under Section 149 of the Equality Act 2010 a public authority must in the exercise of its functions have “due regard” to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it. This is known as the Public Sector Equality Duty (“PSED”).

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

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

5.29 There is no requirement on an LPA to undertake a written Equalities Impact Assessment (“EqIA”) to demonstrate that the PSED has been performed. The application of the PSED is entirely fact sensitive to each case, there is not a single prescribed method for applying the PSED.

5.30 National and Local planning information requirements set out details of the number and type of forms and plans that need to be submitted with a planning application to ensure its validity. There is no requirement, under the National planning information requirements nor local information requirements to provide an EqIA in relation to this application.

5.31 Movement through the space will change from vehicles passing longitudinally on the south-north axis to pedestrians passing west-east and is principally in response to the York Station Gateway, which removes the carriageway from the porte-cochère and creates a pedestrian crossing across Station Road aligned to the

central openings. The clear opening widths of the north and south entrances/exits will be 1500mm and 1670mm within the entrance/exit created in the eastern elevation demonstrate that this achieves the guidance set out in Inclusive Mobility for a wheelchair and non-wheelchair person side-by-side. Pedestrian will be directed through the central openings in the eastern elevation which are marginally wider than the recommended width and as there would be three, as oppose to one opening, providing additional space and comfort.

5.32 Objectors refer to matters concerning the reorganisation of the parking in and around the Station and the removal of taxis and cars from the porte-cochère which have already been secured under the Station Gateway applications. Those applications considered the impact on people with disabilities and reduced mobility.

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

5.34 Officers have given due regard to the equality implications of the proposals in making its recommendation. The issues with regard thereto are noted above in relation to this application but do not raise any matters that would outweigh the material planning considerations.

Conclusion of Harm

5.35 As detailed above, the proposals will impact the porte-cochère area and the individually Grade II listed taxi kiosk of the railway station, which are individually significant in their own right, as described above, as well as contributing to the overall significance of the railway station. The station has generally high levels of aesthetic, historical, evidential and communal values, which contributes to the high significance of the station.

5.36 The assessment concludes, as with the previous refused scheme, that the proposal will result in less than substantial harm to the significance of this designated heritage asset. This harm has been quantified at being at the upper end of less than substantial harm.

5.37 Paragraph 202 of the NPPF sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be outweighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use.

5.38 Planning Practice Guidance sets out what is meant by the term public benefits and states that:

“Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit. Examples of heritage benefits may include:

- sustaining or enhancing the significance of a heritage asset and the contribution of its setting
- reducing or removing risks to a heritage asset
- securing the optimum viable use of a heritage asset in support of its long term conservation”

(Paragraph: 020 Reference ID: 18a-020-20190723 Revision date: 23 07 2019)

- Public Benefits

5.39 Reviewing the information submitted and discussed in support of the scheme, there are a number of public benefits that can be weighed against the identified harms. These include;

- Removal of the bus shelter canopy from the east elevation and repair of the masonry.
- Reinstatement of the c.1905 glazing pattern to the eastern elevation
- Extensive fabric repairs and restoration including to spalling brickwork and mortar; rainwater goods; steam cleaning; repainting; removal of redundant cabling
- New lighting within the porte-cochère
- Provision of new facilities for passengers consisting of retail units and a newly-presented space
- Exclusion of birds
- Improved surveillance/security of space to discourage anti-social behaviour

5.40 It is considered that the special spatial character and the setting of the listed taxi office have not been addressed. The public benefits are considered to be limited in nature and scale and do not outweigh the harms to the heritage assets.

5.41 Accordingly, these public benefits would not be considered to outweigh the harms to the special interest of the listed building and the setting of other heritage assets. For this reason, the proposal would conflict with the NPPF and is recommended for refusal.

6.0 CONCLUSION

6.1 York Railway Station is of high significance, derived from the aesthetic and historical values of the curve of the train shed with fine arches and cast-iron detailing as well as the structural innovation in its design. The main station buildings (the porte-cochère, the entrance building and the two concourse wings) have retained much of their appearance and symmetrical arrangement surviving intact and mostly still in use as intended. The significance of the porte-cochère is derived in part from its architectural character and in part from its historical function as a semi-open threshold. Additionally, the context of the station in relation to the city, the City Walls and Queen Street site also contributes to its significance. The station serves as a major entrance to the city and contributes to the setting of the heritage assets including the city ramparts and walls. The city has strong links with railway history and much of the historic railway environment around the station survives.

6.2 There is currently a clear architectural language displayed by the porte-cochère that symbolises its original design intention. The proposals to glaze the porte-cochère confuse an appreciation of the aesthetic and architectural special interest of this heritage asset. The position of the glazing within the reveals of the masonry will result in a much greater impact externally, detracting from the legibility of a lightweight modern addition to the historically open arches. In addition, the significance and setting of the taxi kiosk which is listed in its own right and is, at present, the only freestanding structure within the porte-cochère will be compromised by the introduction of the two retail pods. The proposed retail pods will reduce how the interior of the porte-cochère is experienced, undermining its grand volume, historical function and open character as well as the sense of the architectural legibility of the wider station building.

6.3 For these reasons, the proposal would result in less than substantial harm to the significance of the designated heritage assets, in this case the Grade II* listed railway station and the Grade II listed taxi kiosk. In accordance with para. 202 of the NPPF, this harm should be weighed against the public benefits of the proposal. It is considered that the Public benefits of the proposal do not outweigh the identified level of harm. The proposal therefore would conflict with the NPPF, Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and policy D5 of the City of York Draft Local Plan (2018).

7.0 RECOMMENDATION: Refuse

- 1 The aesthetic and architectural interest of York Station and in particular its porte cochère are a major part of York's heritage significance. The

significance of the porte-cochère is derived in part from its architectural character and in part from its historical function as a semi-open threshold. The architectural feature is not only important in external views, contributing to the setting of other heritage assets including the Scheduled City Walls, but also in terms of how the Station is experienced internally. It is also sits within the Railway Area of the York Central Historic Core Conservation Area and has a positive contribution within this setting.

There is currently a clear architectural language displayed by the porte-cochère that symbolises its original design intention. The proposals to glaze the porte-cochère confuse an appreciation of the aesthetic and architectural special interest of this heritage asset. The position of the glazing within the reveals of the masonry will result in a much greater impact externally, detracting from the legibility of a lightweight modern addition to the historically open arches. In addition, the significance and setting of the taxi kiosk which is listed in its own right and is, at present, the only freestanding structure within the porte-cochère will be compromised by the introduction of the two retail pods. The proposed retail pods will reduce how the interior of the porte-cochère is experienced, undermining its grand volume, historical function and open character as well as the sense of the architectural legibility of the wider station building.

For these reasons, the proposal would result in less than substantial harm to the significance of the designated heritage assets, in this case the Grade II* listed railway station and the Grade II listed taxi kiosk. In accordance with para. 202 of the NPPF, this harm should be weighed against the public benefits of the proposal. Public benefits of the proposal do not outweigh the identified level of harm. The proposal therefore would conflict with the NPPF, Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and policy D5 of the City of York Draft Local Plan (2018).

8.0 INFORMATIVES:

Contact details:

Case Officer: Lindsay Jenkins

Tel No: 01904 554575