

- Raised floor at first floor level
- Suspended ceilings

1.5 The agent has submitted a list of the works as part of the justification for the change of use application; the agent has confirmed that for a few exceptions that the works would be required to this building; however they have not been applied for as part of this application.

1.6 The number of flats has increased from 55 to 58. The application was initially submitted without elevations. A number of revised plans have been submitted following the identification of a number of errors in subsequent plans. In addition further supporting information has been submitted which accounts for the length of time the application has taken to come before committee. A new entrance to the proposed retail unit was recently included on the plans.

2.0 POLICY CONTEXT

2.1 Draft 2005 Development Plan Allocation:

Areas of Archaeological Interest GMS Constraints: City Centre Area 0006

Conservation Area GMS Constraints: Central Historic Core CONF

City Boundary GMS Constraints: York City Boundary 0001

Floodzone 2 GMS Constraints: Floodzone 2

Listed Buildings GMS Constraints: Grade 2; 17-22 George Hudson Street York YO1 1LP 0108

2.2 Policies:

CYSP3 Safeguarding the Historic Character and Setting of York

CYGP1 Design

CYHE3 Conservation Areas

CYHE4 Listed Buildings

CYHE6 Shopfronts in historic locations

2.3 Emerging Local Plan Policy (Draft Publication Plan 2014)

D4 Conservation Areas

D5 Listed Buildings

3.0 CONSULTATIONS

INTERNAL CONSULTATIONS

Environmental Management (Conservation) States:-

3.1 The submission of elevation drawings illustrating the rear elevation of the Tanner Row range is welcomed

3.2 The proposed additional soil vent pipes, flues and vents on this elevation will not be overly intrusive; the alterations can be supported. Internally, the proposed suspended ceilings replace existing suspended ceilings. No cornices or other architectural features were found during earlier inspection. . This alteration results in no impact on the special interest of the building.

3.3 It is now proposed to introduce raised floors over parts of the first floor. Arguably at this late stage, and a new listed building consent application could be required by the local planning authority. However with the exception of parts of the range facing Tanner Row, there are no historic fittings or finishes which will be affected. In the Tanner Row range, some historic joinery remains in situ; the raised floor would have to be designed to avoid physical damage to the existing joinery. Presumably the raised floor would sit above the skirting, which it is presumed will remain in situ. Large scale cross section drawings will be required to illustrate this point. The floors should scribe round any other remaining historic joinery.

3.4 Request conditions including: full schedule of proposed alterations; full details of proposed service routes; full details of design, scale and materials for all inlet/outlet vent covers; No permission hereby granted for any alterations to windows or window openings; Indicative cross section through internal window reveal illustrating secondary glazing at 1:5; Vertical cross section through proposed front doors and glazed side lights at 1:5; Indicative cross section through raised floor and skirting at 1:2 (affects rooms to Tanner Row range only); New floors should scribe round, not cut through architraves, panelling, or other historic joinery (where present); further details of the proposed suspended ceiling.

Environmental Protection Unit - Object. States:-

3.5 Principal concerns relate to the potential impact that the noise levels could have upon the amenity of residents of the proposed student flats, particularly during the night time periods as a result of loud impact noises and low frequency noises.

3.6 This concern related principally to the facades facing George Hudson Street and Tanner Row.

3.7 Frequency Issues - In addition to concerns about Lmax issues, EPU have concerns about low frequency noise during the night time which may possibly be associated with noise from the nearby night clubs

3.8 Have concerns over the potential for noise to affect residential amenity in rooms overlooking George Hudson Street and Tanner Row. The agent has recently advised that further attenuation from the window may be achieved through the provision of absorption in the window reveals to the windows in the property and thereby ensure that the 45dB(A) Lmax value would not be exceeded. (*Officer note – at the time of writing the report this information had not been submitted*). Should this show that the Council's internal noise standard, which is based on the WHO

guidelines on community noise and BS8233, can be achieved then would no longer have any objection to the proposals on noise grounds,

Economic Development Unit – Object, stating:-

3.9 The City of York Key Sites report, authored by GVA, outlines the need for high quality office space in the city centre, and given the development site constraints provided by surrounding green belt land and the city walls/street layout, cannot afford to lose offices in such a prime location to another use.

3.10 There is currently a reliance on pre-let development owing to an inability to attract speculative development in the near future, with page 26 and 28 of the Centre for Cities Report (Making the Grade, May 2012) highlighting the need for developers to see "the potential returns associated with refurbishing existing space".

3.11 Question why agent has dismissed enquiries that do not specify size or specification. Applicant/Agent makes a presumption of no interest in enquiries searching for less than 28,000 sq ft. Contradicts the marketing material which states that "offices can be made available either as a whole or in floors/suites, to suit occupier requirements"

3.12 2-4 GHS marketing material says "upper floors to be refreshed as quality, self-contained student accommodation". In addition, the freehold marketing literature refers to "potential for hotel, residential and student residential development"; and provides information on mileage to York St John University. Wording of this literature presuming too much and dissuading from office use?

3.13 Request evidence for the demand for student accommodation in this area

EXTERNAL CONSULTATIONS/REPRESENTATIONS

Micklegate Planning Panel

3.14 No objections

English Heritage

3.15 No comments

3.16 3 Representations of Support (all three representations are from the same person)

- Support the re-use of a listed building
- Alterations appear sympathetic with this Listed Building's appearance.
- support the use of energy saving features in the proposed development.

4.0 APPRAISAL

RELEVANT SITE HISTORY

14/01383/FULM - Change of use from offices (use class B1) to student accommodation comprising 58 self contained units with associated facilities including shop, cycle store, manager's office, communal lounge, gym and laundry. A new shop front to the proposed entrance on the George Hudson Street elevation- Pending

KEY ISSUES

- Impact on the special architectural and historic interest and visual amenity of the listed building

PLANNING POLICY

4.1 Section 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 state that in determining 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 and section 72 of the 1990 Act places a duty on Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas when determining applications under the Planning Acts. The duty imposed by S72 (1) means that when deciding whether harm to a conservation area is outweighed by the advantages of a proposed development the decision-maker should give particular weight to the desirability of avoiding such harm. There is a "strong presumption" against the grant of permission in such cases. The process is one of planning judgment but it must be informed by that need to give special weight to maintaining the conservation area.

4.2 The NPPF seeks to conserve and enhance the historic environment. Paragraph 126 states that Local Planning Authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.

4.3 The National Planning Policy Framework (NPPF) Chapter 12, Paragraph 132 states that 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. Significance can be harmed by or lost through alteration or destruction of the heritage asset or development within its setting.

4.4 The NPPF, Chapter 12, Paragraph 134 states that where a development proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. When determining the application in line with paras 131 - 135 consideration should be given to the significance of the heritage asset.

4.5 Local Plan - The relevant development plan is the City of York Council Development Control Local Plan (2005). The Development Control Local Plan was approved for Development Control purposes in April 2005; its policies are material considerations although it is considered that their weight is limited except where in accordance with the National Planning Policy Framework. Policy HE4 states that consent for internal or external alterations to listed buildings will only be granted where there is no adverse effect on the character, appearance or setting of the building.

ASSESSMENT

4.6 The application site is within the Central Historic Core Conservation Area. The whole of the application site is within Character Area 21: 'Micklegate' which contains independent retail/ commercial streets on through routes.

4.7 The proposed suspended ceilings replace existing suspended ceilings. No cornices or other architectural features were found during earlier inspection and it is considered that this alteration results in no impact on the special interest of the building.

4.8 The proposed additional soil vent pipes, flues and vents on this elevation are not considered to be overly intrusive.

4.9 Raised floors are proposed at first floor level, with the exception of parts of the range facing Tanner Row, there are no historic fittings or finishes which will be affected. In the Tanner Row range, some historic joinery remains in situ; the raised floor would have to be designed to avoid physical damage to the existing joinery. The submitted details are not clear, however it is presumed the raised floor would sit above the skirting, which it is presumed will remain in situ. Further details can be sought via condition.

4.10 Secondary glazing behind the existing glazing unit is proposed to the windows in the George Hudson Street and the Tanner Row elevations for reasons of air quality and noise (set out in the partner application) the proposed glazing would be required to be conditioned shut (if the partner application is recommended for approval) however this would be a condition for the Full application rather than the LBC application. The application does not make reference to the replacement of any

of the glazing units, however for avoidance of doubt it is considered reasonable that a condition clarifying this point is added to the consent, if approved.

4.11 The change of use of the building to residential would maintain the character and appearance of the conservation area. The alteration to the facade of the building are on the more recent rear elevation and are limited to vents, the changes would maintain the character and appearance of the conservation area. The George Hudson Street ground floor frontage is not original and adds little to the significance of the facade above. The alterations to the entrance on the George Hudson Street elevation are relatively minor and would have a neutral impact to the facade. The change of use of the ground floor to a retail unit will likely allow views into the unit, as seen in the neighbouring units which are considered to be a positive on the current situation. The proposed use is not considered to result in any harm to the listed building or its setting, or to the conservation area and its setting.

5.0 CONCLUSION

5.1 The proposals are consistent with the National Planning Policy Framework advice as set out above. The development would not cause any harm.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

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

Drawing Number 2381-02-01 'Location Plan' received 05 January 2015;
Drawing Number 2381-03-06 Revision E 'Plans - Services & Drainage Ground & First' received 02 March 2015;
Drawing Number 2381-03-07 Revision D 'Plans - Services & Drainage Second & Third' received 26 February 2015;
Drawing Number 2381-03-08 'Plans - Services & Drainage Basement & Roof' received 08 January 2015;
Drawing Number 2381-03-13 Revision D 'Rear Elevation Building Works & Services' received 26 February 2015;
Drawing Number 2381-02-14 Revision D 'Feasibility 2 Ground & First' received 02 March 2015;
Drawing Number 2381-02-15 Revision C 'Feasibility 2 Second & Third Floors' received 20 February 2015;
Drawing Number 2381-02-18 Revision B ' Entrance Elevation Existing & Proposed' received 02 March 2015;

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

2 TIME L2 Development start within 3 yrs (LBC/CAC) -

3 Prior to the start of construction a full schedule of the proposed alterations shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the details as approved by the Local Planning Authority.

Reason: In the interests of the architectural and historic interest of the listed building. For the avoidance of doubt and the plans and supporting information lack sufficient detail

4. Notwithstanding the submitted plans no listed building consent has been granted for any alterations to the windows or window openings.

Reason: For the avoidance of doubt. In the interests of the architectural and historic interest of the listed building.

5 Large scale details of the items listed below shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of such works and the works shall be carried out in accordance with the approved details.

- (i) Indicative cross section through internal window reveal illustrating secondary glazing at 1:5
- (ii) Vertical cross section through proposed front doors and glazed side lights at 1:5
- (iii) Indicative cross section through raised floor and skirting at 1:2 (affects rooms to Tanner Row range only). New floors should scribe round, not cut through architraves, panelling, or other historic joinery (where present)

Reason: In the interests of the architectural and historic interest of the listed building.

6 Prior to the commencement of the development hereby approved, details of the items listed below shall be submitted to and approved in writing by the Local Planning Authority, and the works shall be carried out in accordance with the details as approved by the Local Planning Authority.

- (i) Full details of design, scale and materials for all inlet/outlet vent covers
- (ii) Full details of design, scale and materials for all inlet/outlet vent covers
- (iii) full details of the proposed service routes
- (iv) Full details of the proposed suspended ceiling

Reason: In the interests of the architectural and historic interest of the listed building. The proposal drawings indicate that service routes are indicative only

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:

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

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