



**Notice of a public meeting of
Area Planning Sub-Committee**

To: Councillors Hollyer (Chair), Crawshaw (Vice-Chair),
Craghill, Daubeney, Fisher, Galvin, Melly, Orrell,
Waudby, Perrett and Webb

Date: Thursday, 20 January 2022

Time: 4.30 pm

Venue: Remote via Zoom

In view of the changing circumstances around the Covid19 pandemic, this meeting will now be held remotely. Any decisions made will form recommendations to the Chief Operating Officer.

AGENDA

1. Declarations of Interest

At this point in the meeting, Members are asked to declare:

- any personal interests not included on the Register of Interests
- any prejudicial interests or
- any disclosable pecuniary interests

which they may have in respect of business on this agenda.

2. Minutes

(Pages 1 - 12)

To approve and sign the minutes of the Area Planning Sub-Committee meetings held on 30 November 2021 and 8 December 2021.

3. Public Participation

At this point in the meeting members of the public who have registered to speak can do so. Members of the public may speak on agenda items or on matters within the remit of the committee.

Please note that our registration deadlines have changed to 2 working days before the meeting, in order to facilitate the management of public participation at remote meetings. The deadline for registering at this meeting is **5:00pm on 18 January 2022**.

To register to speak please visit www.york.gov.uk/AttendCouncilMeetings to fill out an online registration form. If you have any questions about the registration form or the meeting, please contact the relevant Democracy Officer, on the details at the foot of the agenda.

Webcasting of Remote Public Meetings

Please note that, subject to available resources, this remote public meeting will be webcast including any registered public speakers who have given their permission. The remote public meeting can be viewed live and on demand at www.york.gov.uk/webcasts.

During coronavirus, we've made some changes to how we're running council meetings. See our coronavirus updates (www.york.gov.uk/COVIDDemocracy) for more information on meetings and decisions.

4. Plans List

To determine the following planning applications:

a) **14 Mount Parade, York, YO24 4AP** (Pages 13 - 34)
[21/02140/LBC]

Internal and external alterations including basement level extension to rear and 1no. rooflight to rear, lightwell to front with replacement front window at basement level, part lowering of basement floor and insertion of stud wall and new staircase to attic at first floor.

[Micklegate Ward]

b) **Church House, 10-14 Ogleforth, York, YO1 7JG** (Pages 35 - 68)
[21/00601/FULM]

Conversion of office to form 11 no. apartments with associated external works and landscaping, including 2no. additional windows, new roof lights, new ramped access and refuse/bicycle store.

[Guildhall Ward]

**c) Land To The North Of 21 Main Street, (Pages 69 - 92)
Copmanthorpe [20/02043/FUL]**

Erection of a part 2-storey, part single-storey, detached, 3-bedroom house. [Copmanthorpe Ward]

5. Urgent Business

Any other business which the Chair considers urgent under the Local Government Act 1972.

Democracy Officer:

Jane Meller

Contact details:

- Telephone: (01904) 555209
- Email: jane.meller@york.gov.uk

For more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی میا کی جاسکتی ہیں۔ (Urdu)

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City of York Council

Committee Minutes

Meeting	Area Planning Sub-Committee
Date	30 November 2021
Present	Councillors Hollyer (Chair), Crawshaw (Vice-Chair), Daubeney, Fisher, Galvin, Orrell, Webb and Looker (Substitute)
Apologies	Councillors Craghill, Melly, Waudby and Lomas (Substitute)

30. Declarations of Interest

Members were invited to declare, at this point in the meeting, any personal interests not included on the Register of Interests, any prejudicial interests or any disclosable pecuniary interests that they might have in the business on the agenda.

Cllr Fisher declared that Cllr Pearson, who was to speak in objection on the 29 Station Road, Haxby, York, YO32 3LU's application, was his nephew. Since Cllr Pearson was speaking as Ward Councillor and had no personal interest in the item himself, it was deemed that Cllr Fisher's interest was not prejudicial or pecuniary.

31. Minutes

Resolved: That the minutes of the Area Planning Sub-Committee meeting held on 12 August 2021 and 11 November 2021 be approved and then signed by the Chair as a correct record.

Cllr Crawshaw raised a point of order regarding the minutes for 11 November 2021 and stated that he felt uncomfortable with the recording of Member's voting decisions at their own request. This was noted by the Chair. Cllrs Fisher and Orrell stated that individual Member votes could be recorded at their request as per the Constitution.

During the meeting it was established that due to a typographical error, the Reasons for items 19 and 20 for the minutes of 12 August 2021 had been transposed.

32. Public Participation

It was reported that there had been no registrations to speak under the Council's Public Participation Scheme on general issues within the remit of the Sub-Committee.

33. Plans List

Members considered a schedule of reports of the Assistant Director, Planning and Public Protection, relating to the following planning applications, outlining the proposals and relevant policy considerations and setting out the views of consultees and officers.

34. 29 Station Road, Haxby [21/02026/FUL]

Members considered an application which sought permission for the conversion of the existing property into two dwellings with associated extensions and alterations including a new access from Ash Lane.

The Development Manager gave presentation on the application, noting that it was a resubmission of application 20/01958/FUL which had previously included a detached dwelling to the rear garden. He explained that the application had been refused at sub-committee in August 2021 on the basis that the proposed single story dwelling was out of character for the area. The new application had removed the detached dwelling.

In response to Members' questions, the Officer confirmed the garden boundaries.

Public Speakers

Paul Lee spoke in support of the application as the owner of the property. He confirmed the garden size for one of the proposed properties would be 110 square metres, including parking and storage, he explained that he had not found any planning guidance in York for garden sizes and that close neighbours had 96 and 60 square metres. Access would be via a private drive and that a very small number of vehicles, pedestrians use the lane on a daily basis. He confirmed that the 3rd dwelling had been removed due to feedback from Members on the last application.

Richard Bailey spoke in opposition to the application as a local resident. He raised concerns regarding the size of the plot, the outlook for 1 Cedar Court and the access via Ash Lane. He

suggested that parking places to the front of the property would be more appropriate and in keeping with existing properties.

Cllr Edward Pearson spoke in objection to the application as Ward Councillor on behalf of local residents. He suggested that the figures provided by the first speaker did not take into account the front gardens of neighbouring properties. He noted that the application had removed the detached property but had not addressed the concerns of the Committee regarding garden size. He asked that Members consider conditioning parking at the front of the property and a more equitable split of the garden. He suggested that the application could be accepted with conditions.

In response to questions from Committee Members, Cllr Pearson stated that the houses close by had front and back gardens and that three houses on one driveway, with further access for two of the properties via a narrow lane, was dangerous and that there was no pedestrian access.

The Development Manager noted the following in response to further questions from Members:

- Should the dwelling that had been dropped from the application come back for planning permission in the future, the application would be considered on its merits at the time. Granting planning permission to the current application would not weaken the authority's position in the future.
- It would be considered unreasonable to refuse the application based on a different refusal reason as there had not been any material changes to the application apart from the removal of the single storey dwelling and it was that dwelling that had been the basis of the previous refusal.
- There was no local policy that stipulates minimum garden size.

Cllr Webb asked the Chair to consider whether Cllr Fisher was pre-determined based on his comments on the application at the planning meeting of 12 August 2021. The Chair took the view that Cllr Fisher was not pre-determined and made it clear that it was the responsibility of Cllr Fisher to decide if he was or not. Cllr Fisher stated that he had been expecting the gardens to come back to planning more evenly divided and that he was still undecided on the application.

It was moved by Cllr Galvin and seconded by Cllr Webb to approve the application. Cllr Orrell then enquired about a 'no bonfire'

condition. The Development Manager confirmed that an informative could be added referring to the Control of Pollution Act 1974, which included the exclusion of bonfires. Cllr Galvin, as the mover, accepted this proposal. Following a vote, the motion was carried unanimously by the Committee Members and it was therefore:

Resolved: That the application be approved subject to the conditions in the report, with the added informative regarding the Control of Pollution Act.

Reason: The proposed subdivision and extension to no. 29 was not considered to harm the appearance of the dwelling or cause significant impact to neighbour amenity. The newly created dwelling would be within a sustainable location, utilising an existing access lane which, given the modest additional vehicle movements, would not cause harm to highway safety. The proposals thereby comply with the National Planning Policy Framework and with Publication draft Local Plan (2018) policies D1, D11, CC2 and ENV5, the draft Local Plan (2005) policies GP1 and GP10.

35. 27 Lock House Lane, Earswick [21/01755/FUL]

Members considered an application that sought permission for various additions to a two storey detached dwelling in Earswick. The proposed scheme included:

- Single storey front extension to form an entrance hall and open porch.
- Single storey rear extension, spanning the space between two existing rear offshoots, with terrace above accessed from the first floor of the existing dwelling.
- Dormer to the rear roof slope of the existing house.
- One-and-a-half storey side extension to the main dwelling, linking the house to an existing detached garage. This extension would incorporate a dormer to the rear and a dormer to the front roof slope.
- Existing garage extended to the front and rear and increased in height, with a dormer to the side and a dormer to the rear roof slope, to facilitate additional accommodation within the additional roof space.

The Development Manager gave a presentation on the application and then clarified the plan in response to questions from Members.

There was a brief adjournment between 18:12 and 18:20 whilst the Development Manager sought to clarify if the Earswick Neighbourhood Plan had been considered in the writing of the report.

[Cllr Webb left the meeting during the adjournment]

Following the adjournment, the Development Manager confirmed that there were no policies in the Neighbourhood Plan that were material to the planning application. He also confirmed that the extension would be brick to match the existing building.

It was reported by the Chair that there were no public speakers registered to speak in support or objection this application and members indicated that they had no more questions to ask on the application. Cllr Galvin immediately moved to approve the application and this was seconded by Cllr Fisher. A vote was taken and by unanimous approval it was:

Resolved: That the application be approved subject to the conditions in the report.

Reason: The proposal is considered to be appropriately designed and does not harm the appearance of the streetscene or residential amenity. It would comply with the National Planning Policy Framework (2021), policy D11 of the Publication Draft Local Plan 2018, policy H7 of the 2005 Draft Local Plan, and advice contained within Supplementary Planning Document 'House Extensions and Alterations' (Dec. 2012).

Councillor Andrew Hollyer, Chair

[The meeting started at 5.30 pm and finished at 6.27 pm].

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Meeting	Area Planning Sub-Committee
Date	8 December 2021
Present	Councillors Hollyer (Chair), Crawshaw (Vice-Chair), Craghill, Daubeney, Fisher, Perrett, Webb and Carr (Substitute)
Apologies	Councillors Melly, Orrell and Waudby

36. Declarations of Interest

Members were invited to declare, at this point in the meeting, any personal interests not included on the Register of Interests, any prejudicial interests or any disclosable pecuniary interests that they might have in the business on the agenda.

Cllr Carr asked the Chair to note that due to a hearing disability he was not wearing a mask, as this made it difficult for him to hear.

Cllr Daubeney requested that it was noted that two rooms in his house had been rented out however, it was not a house of multiple occupancy and he was therefore not pre-determined.

37. Public Participation

It was reported that there had been no registrations to speak under the Council's Public Participation Scheme on general issues within the remit of the Sub-Committee.

38. Plans List

Members considered a schedule of reports of the Assistant Director, Planning and Public Protection, relating to the following planning applications, outlining the proposals and relevant policy considerations and setting out the views of consultees and officers.

39. 18 Beech Avenue, Bishopthorpe [21/02101/FUL]

Members considered an application which sought to gain planning permission for a 2 storey side and single storey rear

extension along with a dormer window to the rear. The Development Manager gave a presentation on the application.

In response to questions from Members, the Officer noted that:

- The internal layout of a property would not typically be subject of a condition, the homeowner could use the space as they wished.
- The extension would not have a significant impact on the number of parking spaces available. There were no car parking policies in relation to extensions.
- The side extension was an unusual shape but had been done before elsewhere.

Public Participation

Dal Singh and Asha Landa, joined the meeting via Zoom and spoke in support of the application, as the agents. They explained the plans in more detail and said that there was an office planned for the ground floor, there were no side windows and, as there was to be no increase in occupancy, there was no need to increase parking. They explained that there was a larger dormer and extension, with a similar angle at No. 12 and they confirmed that of the three windows in the proposed dormer, one was obscured glass and one was a roof light, so had no view. There was vegetation to screen views from neighbour and the side extension had been reduced slightly to improve access.

There were no questions for the agents.

The Development Manager noted that condition 3 in the report had not been updated to reflect the change in building materials. The planned materials to be used were brick and tile to match the existing walls and roof.

Following a brief debate, it was moved by Cllr Fisher and seconded by Cllr Crawshaw that the application be approved subject to the conditions contained in the report. A vote was taken and the motion was carried unanimously. It was therefore:

Resolved: That the application be approved, subject to the conditions set out in the report and the change to condition 3 as described earlier in the meeting.

Reason: The proposed scheme would respect the general character of the building and local area and cause no significant harm to neighbouring amenity. It was considered that it complies with the National Planning Policy Framework and local policies in the 2018 Draft Plan, Development Control Local Plan 2005 and the City of York Council's Supplementary Planning Document (House Extensions and Alterations).

40. 19 Hambleton Avenue, Osbaldwick [21/01599/FUL]

Members considered an application that sought planning permission to change the use of No.19 Hambleton Avenue, Osbaldwick from a residential dwelling within use class C3 to a 3.no bedroom house in multiple occupation (HMO), within use class C4.

The Development Manager gave a presentation on the application in which he outlined the plans for the property.

In response to questions from Members the Development Manager responded that:

- The council database of HMO properties was checked against the records of council tax exemptions and HMO licences. The record of 5 HMOs could be student exemptions from council tax or HMO licences or from Planning records. All houses were counted within 100 metres of the property and then the number of HMOs were expressed as a percentage. There were approximately 1600 dwellings in the neighbourhood.
- As had been acknowledged by the supporting documentation, the data was not going to be perfect. Officers were satisfied as far as they could be with the accuracy of the information.

Public Speakers

Cllr Warters spoke in objection to the application as the Ward Councillor for Osbaldwick and Derwent. He stated that this was a retrospective application, with the HMO already in use and on the database. He also stated that there were a number of

properties acting as HMOs on the same street, some of which were not registered. He therefore believed that the 10% cap on the street had already been reached. He noted that one of the properties on the street had gone from an HMO to being rented to a family. He noted that the local government ombudsman had been critical of the council's student database.

The Development Manager clarified that a property referred to by Cllr Warters had reverted from an HMO to a family home and this moved the property from C4 to C3 class. This was within permitted development regulations and the property had therefore been removed from the database. Should the property become an HMO in the future, planning permission to move from C3 to C4 would be required. He further confirmed that if the number of HMO properties on the road had reached 10% threshold then should the lapsed property reapply for HMO status this would then breach the threshold in the SPD.

Following a short debate, Cllr Webb moved to approve the recommendation for approval. This was seconded by Cllr Craghill. Members voted 7 in favour of the motion and 1 against and it was therefore:

Resolved: That the application be approved, subject to the conditions contained within the report.

Reason: On balance and subject to conditions, it was considered that the use of the property as an HMO within the C4 use class was acceptable in terms of the balance of the community, highways impact and local amenity. The application accords with the requirements of the NPPF, Policy H8 of the Publication Draft York Local Plan 2018, and Policy H8 of the Development Control Local Plan 2005 and the guidance contained within the SPD.

41. 27 Bedale Avenue, Osbaldwick [21/01991/FUL]

Lastly, members considered an application which sought planning permission to change the use of No.27 Bedale Avenue, Osbaldwick from a residential dwelling within Use Class C3 to a 5.no bedroom house in multiple occupation (HMO), within Use Class C4.

The Development Manager gave a presentation in which he outlined the plan. In response to questions from Members, he noted the following:

- The impact of the HMO on adjacent properties should be dealt with on its own merits.

Public Speakers

Cllr Warters spoke in objection to the application as Ward Councillor. He noted that this was the same property management company as the previous application. He raised concerns regarding the possibility of converting the garage into a bedroom and the management of rubbish and parking at the property. He again mentioned the quality of information produced by the council's database.

In response to further questions from members, the Development Manager answered as follows:

- The parking space available allowed 3 small cars to park but not manoeuvre independently. It had been noted that there was an additional side road that would also provide parking.
- The 10% limit for the number HMO properties in a street would come into effect once the number of properties went over that threshold.
- Planning guidance for parking was expressed as maximums, as this was potentially contrary to NPPF recommendations, it was best to judge the applications on their own merits based on knowledge of the local area.
- The existing planning permission for a tattoo studio was for a named individual and would lapse if that individual did not live at the property. It had been conditioned that the garage must provide parking for 6 cycles. It could be made a requirement for the garage to be fitted out for cycle storage prior to the first occupancy as an HMO.

Following a debate by Members it was moved by Cllr Carr and subsequently seconded by Cllr Crawshaw that the application be approved.

The vote was unanimous and it was therefore:

Resolved: That the application be approved subject to an amendment of condition 4, where the garage should be fitted out for cycle parking prior to occupation.

Reason: On balance and subject to conditions, it was considered that the use of the property as an HMO within the C4 use class is acceptable in terms of the balance of the community, highways impact and local amenity. The application accords with the requirements of the NPPF, Policy H8 of the Publication Draft York Local Plan 2018, Policy H8 of the Development Control Local Plan 2005 and the guidance contained within the SPD.

42. Urgent Business

Cllr Crawshaw requested that the Local Ombudsman complaint regarding the council's database for HMOs be referred to the Housing and Community Safety Policy and Scrutiny Committee.

Resolved: That the Chair and Vice Chair write to the Housing Scrutiny Chair to ask them to investigate the complaint.

Reason: To ensure that the database is fit for purpose.

Cllr Andrew Hollyer, Chair

[The meeting started at 4.30 pm and finished at 6.05 pm].

COMMITTEE REPORT

Date: 20 January 2022 **Ward:** Micklegate
Team: West Area **Parish:** Micklegate Planning
Panel

Reference: 21/02140/LBC
Application at: 14 Mount Parade York YO24 4AP
For: Internal and external alterations including basement level extension to rear and 1no. rooflight to rear, lightwell to front with replacement front window at basement level, part lowering of basement floor and insertion of stud wall and new staircase to attic at first floor.
By: Linda Grenyer
Application Type: Listed Building Consent
Target Date: 26 November 2021
Recommendation: Refuse

1.0 PROPOSAL

1.1 The application site is 14 Mount Parade, York, a grade II listed building of special architectural or historic interest located in York Central Historic Core Conservation Area, Character Area 24: The Mount. The property forms part of a short terrace of four mid-nineteenth century houses at 12-15 Mount Parade, the last to be developed along Mount Parade which was laid out in 1823. This terrace of four houses forms part of a delightful row of eighteen grade II listed houses with subtle variations of design and scale that make a positive contribution to the character and appearance of the conservation area.

1.2 Listed building consent is sought for internal and external alterations including a basement level extension to the rear and one roof light to the rear roof plane, enlargement of the lightwell to the front with a replacement front window at basement level, part lowering of the basement floor and the insertion of a stud wall and new staircase to the attic at first floor level.

PLANNING HISTORY

1.3 The following planning and listed building consent applications have previously been submitted for this site;

- Ref. 04/00344/FUL Erection of pitched and flat roof rear extension, and alterations to basement window and lightwell to front elevation, permitted 16.04.2004

- Ref. 04/00494/LBC Erection of pitched and flat roof rear extension and alterations to basement window and lightwell to front elevation, permitted 16.04.2004
- Ref. 20/00578/FUL Basement level extension to rear with 2no. rooflights, light well to front and 1no. rooflight to rear, refused 14.09.2020; ref. 20/00579/LBC Internal and external alterations including basement level rear extension with 2no. rooflights, light well to front, loft conversion with new staircase to attic, 1no. roof light to rear, reconfiguration and refurbishment of basement and first floor, refused 14.09.2020
- Ref. 20/00579/LBC Internal and external alterations including basement level rear extension with 2no. rooflights, lightwell to front, loft conversion with new staircase to attic, 1no. roof light to rear, reconfiguration and refurbishment of basement and first floor, refused 14.09.2020
- Ref. 21/00934/FUL Basement level extension to rear and 1no. rooflight to rear – resubmission, permitted 08.09.2021
- Ref. 21/00935/LBC Internal and external alterations including basement level extension to rear, 1no. rooflight to rear, loft conversion with new staircase to attic, reconfiguration and refurbishment of basement and first floor – resubmission, refused 08.09.2021.

COMMITTEE CALL-IN

1.4 The application has been called to committee by Cllr Crawshaw to allow the balance of harm to a listed building versus benefit to residential amenity to be further explored.

2.0 POLICY CONTEXT

2.1 The Publication Draft York Local Plan (2018);

D5 Listed Buildings

3.0 CONSULTATIONS

INTERNAL CONSULTATIONS

Design, Conservation and Sustainable Development (Conservation Officer)

3.1 The grade II listed building at 14 Mount Parade forms part of a short terrace of four mid nineteenth century houses on narrow plots at 12-15 Mount Parade, the last
Application Reference Number: 21/02140/LBC Item No: 4a

to be developed along Mount Parade, laid out in 1823. The properties at 12-15 Mount Parade are each one bay with a doorway to the right. The list description indicates that there are cellars lit by a casement window, the presence of a cellar suggested by the very small opening below a simple stone lintel fortunately retained at 14 Mount Parade. At 12, 13 and 15 Mount Parade there are now enlarged basement level windows of a modern design, together with enlarged light wells. The cellar at the front of 14 Mount Parade has a low floor to ceiling height, sloping floor and no fireplace, the storage use reflected in the simple opening seen externally. With the exception of the small extension to the rear, the plan form of the basement is otherwise as originally built, indeed, again with the exception of the opening up of the partition between the front and back rooms on the ground floor, the plan form throughout the building is as constructed reflected in the external appearance of the building, the simple layout of a room at the front and rear of each floor, with a passage to the side on the ground floor leading to the staircase to the first floor.

3.2 The property at 14 Mount Parade is considered a good example of a modest mid-nineteenth century house which is of architectural interest and polite design, located in an attractive suburban terrace of properties of similar design. Internally it is of design value for the surviving cornices, doors and fireplaces. It has historic interest as part of the early to mid-nineteenth century development of York's suburbs outside the city walls with Mount Parade accommodating the growing number of professional middle classes during this period, with further illustrative value deriving from the hierarchy of spaces and design from front to back of the building both externally and internally within the living quarters, illustrating aspects of society at the time and of the status of the occupants.

3.3 Internally, lowering and levelling the ground floor in the cellar area together with enlargement of the window removes the evidence that this was a cellar and not an active, inhabited part of the house. It is acknowledged that the concrete floor in the basement is a later floor finish and is of significant depth close to the front wall. No investigation of the depth of concrete appears to have been made at the lower end of the slope, and it appear improbable that the slope in the concrete floor is doing anything other than reflecting the profile of the ground below.

3.4 Although the cellar window frame is modern, loss of the small opening with its simple stone lintel lighting the cellar would eradicate the only remaining example of the original design of the cellar openings (referred to in the list description). The light well has clearly been re-lined with a different brick. Nevertheless, the replacement of the existing arrangement with a larger window and a substantially enlarged light well would detract from the integrity of the elevation and draw attention to the substantial

change to the cellar detracting from the hierarchy which is part of the character of the building.

3.5 Internal alterations proposed to the first floor include partitioning off part of the back room to form a staircase. This alters the plan form and the historic circulation within the building, detracting from the integrity of the listed building. The design and access statement asserts that the alteration is “entirely reversible works which are acceptable in listed buildings”. However the reversibility is entirely notional: there is no indication of the proposed length of duration of the alteration, or any consideration of the harm resulting from the works. Consequently little weight can be given to the suggestion. No objections are raised to forming a store under the stairs, or the extension to the rear and roof light on the rear roof slope which benefit from an extant planning permission.

3.6 Whilst each of the alterations set out above results in only moderate harm to the character of the building, cumulatively the alterations would result in significant harm to the character of the building as one of special architectural or historic interest. Whilst the harm would be significant, with reference to paragraph 202 of the NPPF, it is considered less than substantial harm that requires to be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Some elements of the proposals may be considered beneficial, such as the reinstatement of the ceiling rose in the rear ground floor room, but these small positives would fall far short of justifying the harm identified. As the listed building is considered to be in its optimal viable use, it is not clear how any public benefits could be identified that would outweigh the level of harm.

Design, Conservation And Sustainable Development (City Archaeologist)

3.7 The property at 14 Mount Parade is located within the Central Area of Archaeological Importance. Mount Parade occupies an area between two Roman roads. Roman burials and cemeteries are known throughout this area. The proposed enlargement of the existing basement area to the front and rear is likely to involve the removal of previously undisturbed ground which may contain archaeological deposits. The amount of disturbance and landscaping associated with the construction of Mount Parade is currently unknown. Watching briefs undertaken in the 1990s within the grounds of other houses on this street have proved negative although the depth of investigation is unknown. An archaeological watching brief is required to monitor all ground disturbing works as a condition of consent. Should any significant archaeological deposits or features be revealed work will need to cease and an archaeological excavation will be required.

EXTERNAL CONSULTATIONS

Micklegate Planning Panel

3.8 Fully support the proposals and consider that the design and plans for renovation are appropriate and will enhance the appearance and utility of this listed building in a beautiful part of York. The proposed plans are sensitive to the house, its neighbours and the street as a whole. The proposed alterations will significantly improve the use of the house and provide better access at basement level should this be required in an emergency. The removal of an unsightly rear extension is welcomed and the proposed rear extension is considered sympathetic and respectful to the overall character of the house.

Historic England

3.9 On the basis of the information available, Historic England do not wish to offer any comments and suggest that the views of the Council's specialist conservation adviser are sought regarding the proposals.

4.0 REPRESENTATIONS

Publicity

4.1 Four representations of support were received which are summarised as follows;

- The properties at 12-15 Mount Parade are not large houses and it is important to be able to use all the available space.
- The alterations proposed are sympathetic to the character of the building and will ensure that it is safe to live in.
- The internal alterations and extension are in keeping with the property and allow the house to work as a family home yet still ensure the historic qualities of the property are protected.
- The addition of a basement level front window is in keeping with the other three small houses in Mount Parade can only be of benefit to the street.
- It is important that the integrity of the listed houses in Mount Parade is kept. Sympathetic changes need to be allowed especially when some of the internal space is completely unusable in its present form.

- The proposals support the original intention for the building as a family dwelling and home rather than a museum.
- There have already been alterations made to the basement and to lower the front basement window, so it seems unnecessary to preserve what is no longer original.
- The proposals respect the age and style of the house and seek to improve the property, make it a house fit for the modern world and to use the interior of the house to its full potential.
- The houses along Mount Parade have maintained, through sensitive renovations, their genteel character whilst looking fit for purpose in the twenty first century.
- The proposed alterations to the front basement room to enable its use as a bedroom with an opening window for ventilation and escape, would not harm the historic character of the house and would enable the whole house to be used just like those listed properties very close by.

5.0 APPRAISAL

KEY ISSUE

- The impact on special architectural or historic interest of listed building and its setting

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990

5.1 With reference to Sections 16 (2) and 66(1) of the Act, in considering whether to grant listed building consent for any works, the local planning authority is required to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.

NATIONAL PLANNING POLICY FRAMEWORK

5.2 The National Planning Policy Framework, February 2021 (NPPF) sets out the Government's overarching planning policies and at its heart is a presumption in favour of sustainable development. With regard to decision-taking, where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless the application of policies in the NPPF that protect areas or assets of particular

importance, including designated heritage assets, provides a clear reason for refusing the development proposed.

5.3 The NPPF, Chapter 16 - Conserving and enhancing the historic environment, paragraph 195 states that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. Paragraph 197 a) states that when determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of a heritage asset and putting them to viable uses consistent with their conservation.

5.4 The NPPF, Chapter 16, paragraph 199 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.

5.5 The NPPF, Chapter 16, paragraph 201 states that where a proposed development will lead to substantial harm to (or the total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

5.6 The NPPF, Chapter 16, 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, where appropriate, securing its optimum viable use.

PUBLICATION DRAFT YORK LOCAL PLAN (2018)

5.7 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 policies can be afforded weight according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

- The degree of consistency of the relevant policies in the emerging plan to the policies in the previous NPPF published in March 2012. (NB: Under transitional arrangements plans submitted for examination before 24 January 2019 will be assessed against the 2012 NPPF).

5.8 2018 Draft Plan Policy D5: Listed Buildings 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. Changes of use will be supported where it has been demonstrated that the original use of the building is no longer viable and where the proposed new use would not harm 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. Substantial harm or total loss of a listed building will be permitted only where it can be demonstrated that the proposals would bring substantial public benefits.

ASSESSMENT

IMPACT OF PROPOSALS ON SPECIAL ARCHITECTURAL OR HISTORIC INTEREST OF LISTED BUILDING AND ITS SETTING

5.9 The grade II listed building at 14 Mount Parade dates from the mid nineteenth century and remains in its original use as a house. As set out in more detail in paragraphs 3.1 and 3.2 of this report, the significance of the designated heritage asset derives from the architectural interest and polite design of this modest mid-nineteenth century house, located in an attractive suburban terrace of properties of similar design, which are also grade II listed buildings. The terrace is considered of historic interest as part of the early to mid-nineteenth century development of York's suburbs outside the City Walls. The interior of the house is of design value with surviving cornices, doors and fireplaces present, whilst the hierarchy of spaces and surviving plan form of the interior illustrates aspects of society at the time the house was built and the status of the occupants.

5.10 The proposals include a single storey rear extension at basement level and one roof light to the rear roof slope, together with the alteration and enlargement of the front basement light well and the insertion of a new window in an enlarged opening at basement level to the principal elevation of the listed building. Internal alterations

include a loft conversion with a new staircase to the attic and the reconfiguration and refurbishment of the basement and first floor.

Basement level extension to rear

5.11 The single storey rear extension at basement level would be attached to part of the existing rear extension that has a lean-to pitched roof. The extension would replace the flat roof part of the existing rear extension that is considered a detractor. The extension would be of a linear form, offset from the side boundary with the adjoining property at 13 Mount Parade, and would appear subservient to the host dwelling. The extension would have a shallow duo-pitched roof finished in slate with an aluminium framed, traditional style ridge roof light present. The external walls would be finished in brickwork to match existing. The window and doors to the rear extension would have Anthracite grey coloured aluminium frames. Given the modern appearance of the rear extension that would not be unduly prominent being located at rear basement level, the aluminium framed windows and doors are considered acceptable.

Roof light to rear roof plane

5.12 It is proposed to install one roof light to the rear roof plane of the listed building. The scale and position of the roof light is such that it would not dominate the rear roof slope or appear visually prominent in the streetscene. It is considered that the rear extension at basement level and rear roof light would not lead to harm to the special interest of the listed building or its setting; these elements of the proposals are the subject of permitted householder planning application ref. 21/00934/FUL.

Enlargement of front lightwell and basement level window to principal elevation

5.13 As part of the proposals, the front basement level lightwell would be enlarged with an increase in the depth, length and width from the current arrangement. The small window opening at basement level would be enlarged to accommodate a six pane timber sash window. The alterations proposed to the principal elevation of the listed building, with the loss of the small basement level opening with its simple stone lintel, would remove the only remaining example of the original design of the front cellar opening present in the terrace. It is acknowledged that a modern window has been inserted in the front basement level opening and the lightwell re-lined with a different brick. However, it is considered that the replacement of the existing arrangement would detract from the integrity of the principal elevation of the listed building and draw attention to the substantial change to the form and use of the front part of the cellar, which forms part of the character and special interest of the listed building.

Internal alterations to basement front room

5.14 The proposals include alterations to the interior of the basement level front room. The existing sloping floor would be lowered to be of a consistent level to form a bedroom, with the store to the side which is currently blocked off, opened up to form an en-suite shower room. It is considered that the sloping floor and low ceiling height of the front basement are evidence of the historical use of the room as a store rather than as a habitable room. This is reflected by the very small opening in the front elevation. Lowering the ground level internally would alter the form and proportions of the front cellar, harming its fabric and historic interest.

Internal alterations to first floor including staircase to attic

5.15 It is proposed to install a partition wall in the first floor rear room and form a landing adjacent connecting to a new staircase to the attic. The remainder of the first floor rear room would form a bathroom. The existing fireplace in the rear first floor room would be retained in situ in the bathroom. It is considered that the proposed internal alterations to the first floor would alter the historic circulation within the building, with the creation of a landing/corridor on the first floor, enabling access via the new staircase to the attic which did not form part of the original accommodation, thereby detracting from the integrity of the listed building. The form and proportions of the first floor rear room would be compromised with the scale of the room much reduced, undermining the historic plan form and character of the interior of the listed building.

Assessment of harm to heritage significance of the listed building

5.16 The proposed external alterations to the principal elevation of the listed building, with the enlargement of the front lightwell and new basement level window in an enlarged opening, internal alterations to the basement front room to create an en-suite bedroom and internal alterations to the first floor rear room, which would be sub-divided to form a bathroom with a landing adjacent and staircase to a room formed in the attic, would lead to less than substantial harm to the significance of the designated heritage asset. It is considered that each of the alterations would lead to moderate harm and cumulatively the alterations would lead to significant harm to the character of the building as one of special architectural or historic interest. Any harm caused to designated heritage assets is a matter that attracts considerable weight and importance in the planning balance. The proposals are considered to be of private rather than of public benefit and as such, there are no public benefits that would outweigh the level of harm identified to the heritage significance of the listed building.

Balance of harm to the listed building versus the benefit to residential amenity

5.17 The listed building is currently in its optimum and original use as a two bedroom house, which is illustrated in the surviving plan form of the interior. In terms of the balance of harm to the listed building versus the benefit to residential amenity, with reference to NPPF paragraph 202, which requires the harm to be weighed against the public benefits of the proposal, the private rather than public benefits associated with the proposals would not outweigh the level of harm identified.

5.18 It is noted that in some respects the works approved as part of permitted application ref. 04/00494/LBC, which included a front basement lightwell, front basement window, alterations to the front basement floor, sub-division of the rear first floor room and staircase to the attic, are similar to those included in the current application. However, the current policy requirements as set out in NPPF Chapter 16 Conserving and enhancing the historic environment and referenced in paragraphs 5.4 and 5.6 of this report are different to those at the time the previous application was permitted in 2004.

6.0 CONCLUSION

6.1 It is considered that the proposed alterations to the principal elevation and interior of the listed building would lead to less than substantial harm to the significance of the designated heritage asset. In accordance with the NPPF and the statutory obligations imposed, great weight is given to that harm. There are no identified public benefits that outweigh the level of harm. Thus, the proposals fail to preserve the special architectural or historic interest of the listed building and conflict with the requirements of Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and fail to comply with guidance for designated heritage assets contained within the National Planning Policy Framework, (paragraphs 199 and 202) and Policy D5 (Listed Buildings) of the Publication Draft Local Plan 2018.

7.0 RECOMMENDATION:

That the Area Planning Sub-Committee recommend to the Chief Operating Officer that the application for Listed Building Consent be REFUSED for the following reason:

1 The alteration and enlargement of the front basement light well and the enlargement of the front basement window opening with the insertion of a new window would detract from the architectural character of the principal elevation of the listed building. Internal alterations including lowering the floor level in the front

part of the basement would remove historic fabric and fail to preserve the existing form and historic character of the front basement store. The proposals to partition off part of the first floor rear room to form a hallway connecting to a staircase to the attic would also detract from the form and proportions of that room and alter the plan form and historic circulation within the building, thereby detracting from the integrity of the listed building.

As such, it is considered that the proposed alterations to the principal elevation and interior of the listed building would lead to less than substantial harm to the significance of the designated heritage asset and there are no identified public benefits that outweigh the level of harm. Thus, the proposals conflict with the requirements of Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and fail to comply with guidance for designated heritage assets contained within the National Planning Policy Framework, (paragraphs 199 and 202) and Policy D5 (Listed Buildings) of the Publication Draft Local Plan 2018.

Contact details:

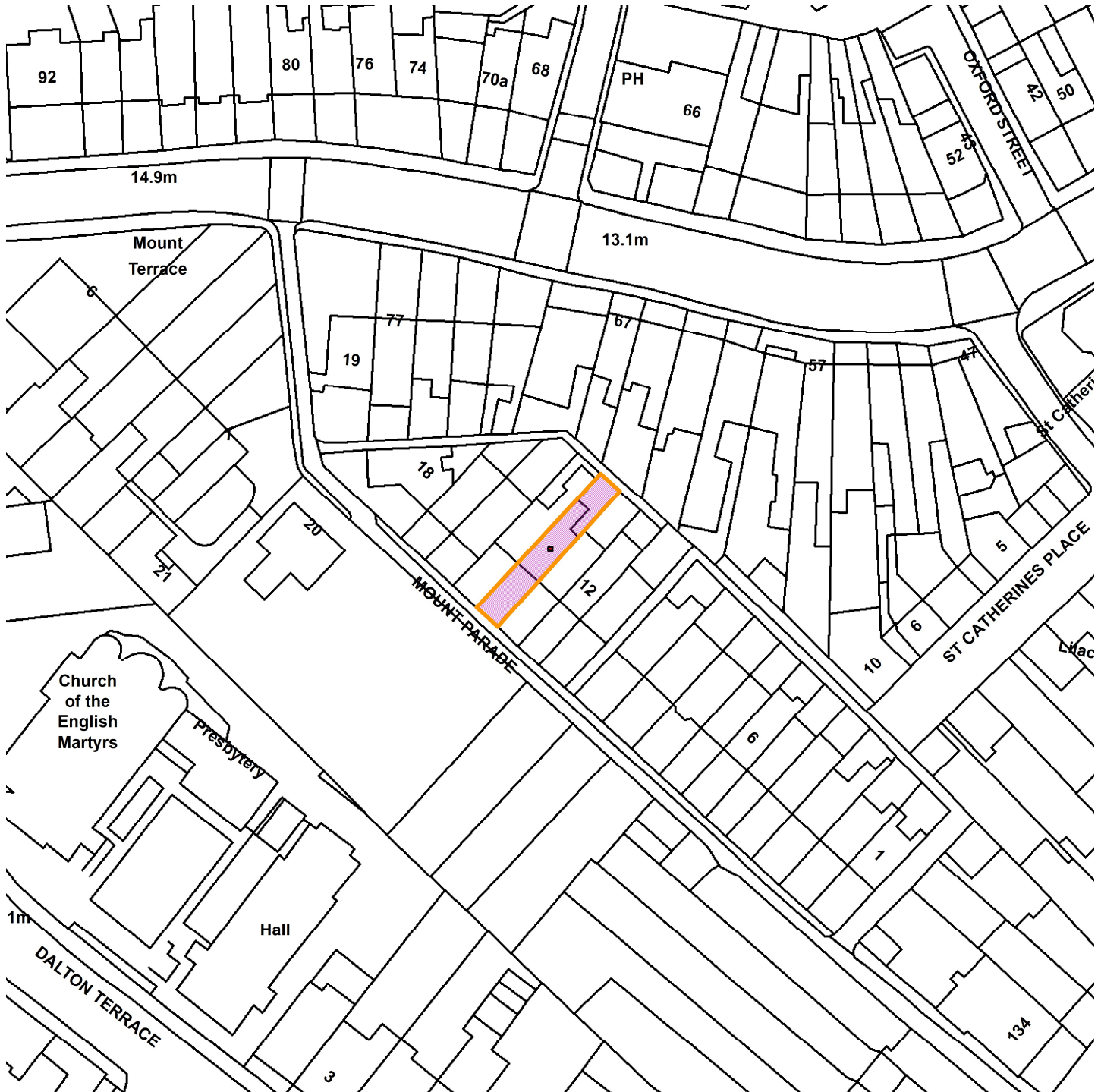
Case Officer: Sandra Duffill
Tel No: 01904 551672

14 Mount Parade, York YO24 4AP

21/02140/LBC



GIS by ESRI (UK)



Scale : 1:836

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Department	Directorate of Place
Comments	Site Location Plan
Date	11 January 2022
SLA Number	

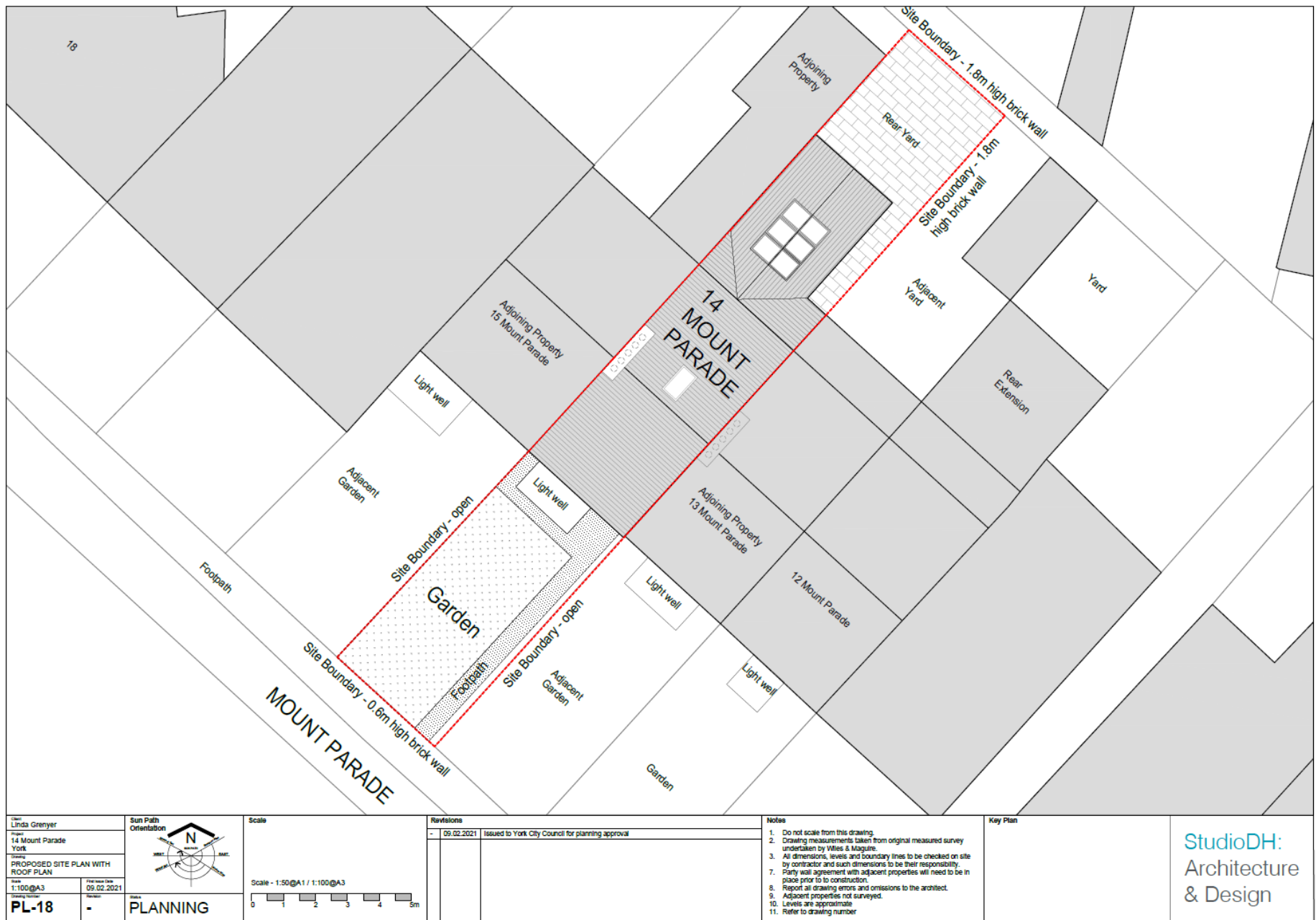
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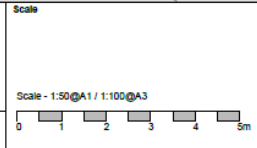
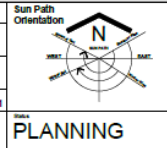
Area Planning Sub-Committee

21/02140/LBC

14 Mount Parade



Client
Linda Grenyer
14 Mount Parade
York
Drawing
PROPOSED SITE PLAN WITH
ROOF PLAN
Scale
1:100@A3
Drawing No.
PL-18



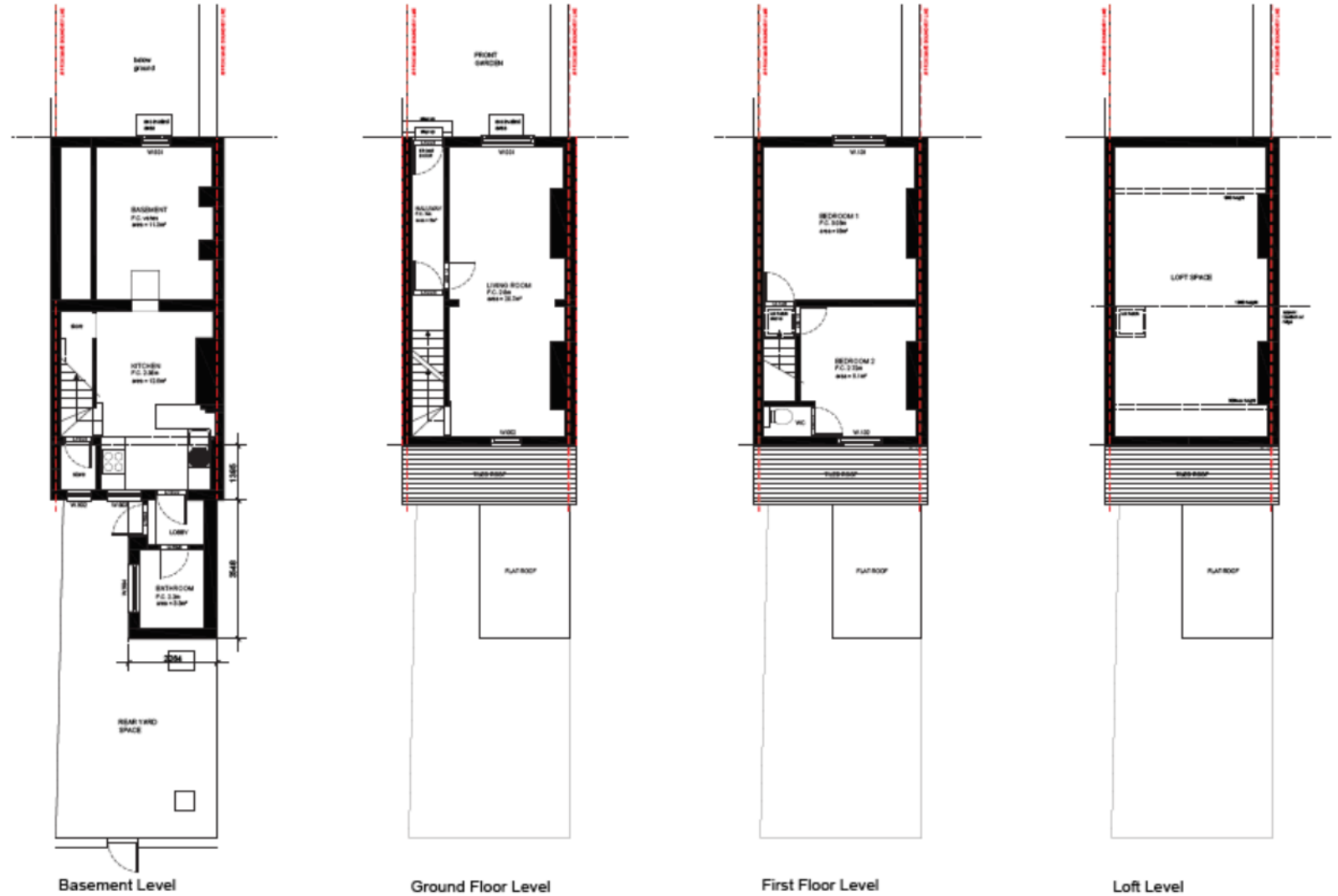
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09.02.2021	Issued to York City Council for planning approval

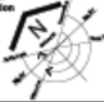

- Notes
1. Do not scale from this drawing.
 2. Drawing measurements taken from original measured survey undertaken by Wiles & Maguire.
 3. All dimensions, levels and boundary lines to be checked on site by contractor and such dimensions to be their responsibility.
 7. Party wall agreement with adjacent properties will need to be in place prior to construction.
 8. Report all drawing errors and omissions to the architect.
 9. Adjacent properties not surveyed.
 10. Levels are approximate.
 11. Refer to drawing number.

Key Plan

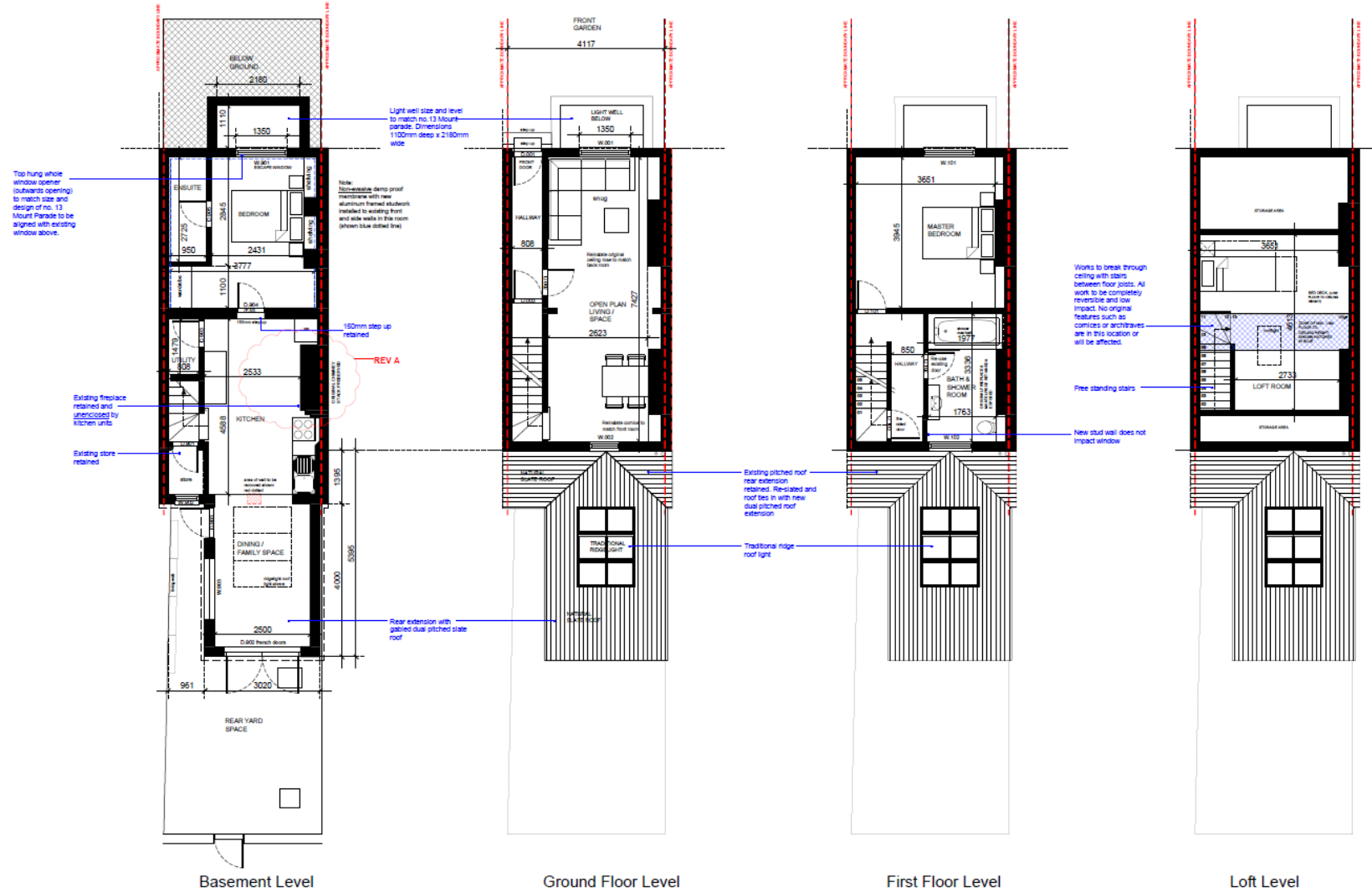
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Architecture
& Design

Existing floor plans



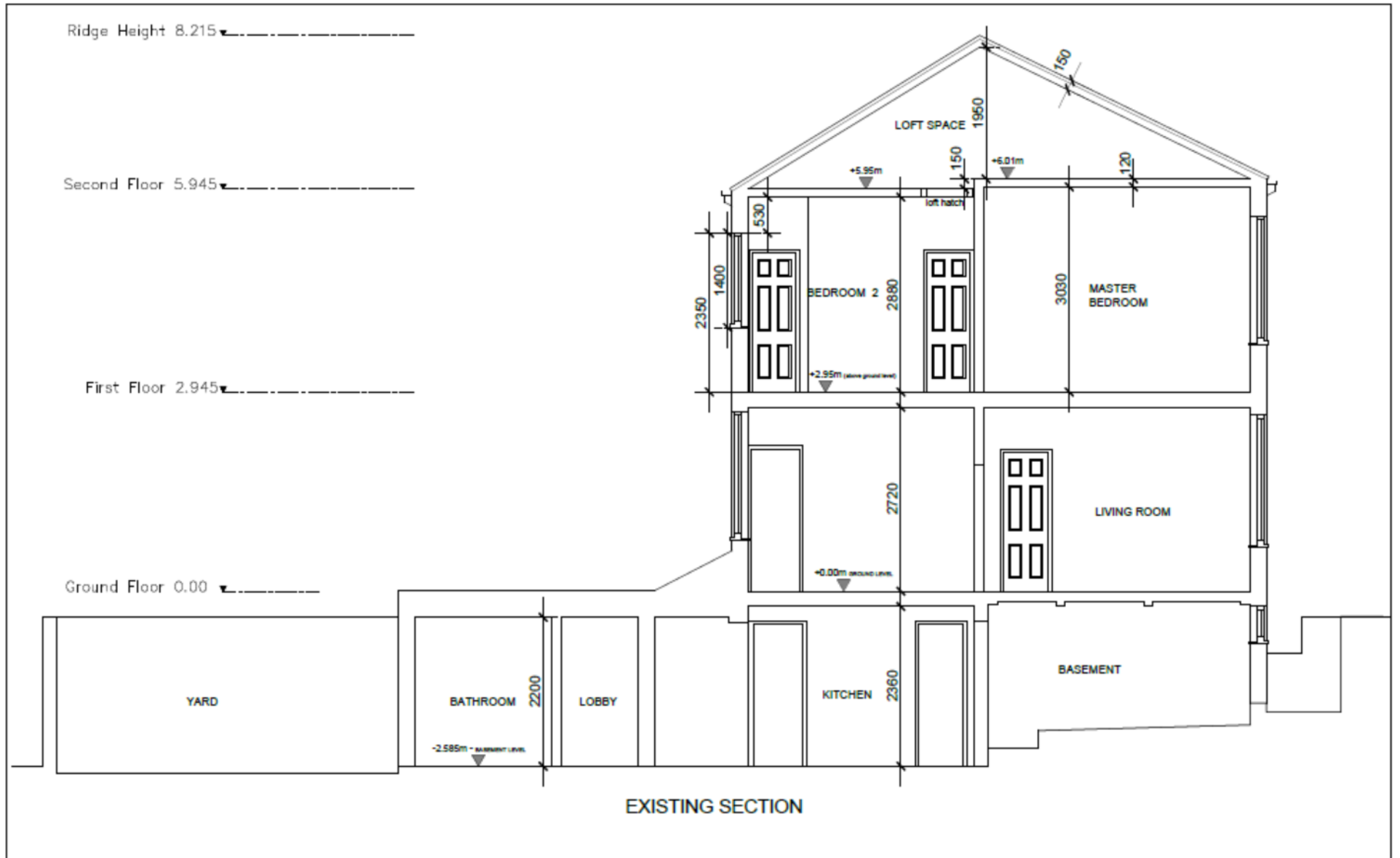
<p>Client: Linda Greyer Address: 14 Mount Parade, York Project: EXISTING FLOOR PLANS Scale: 1:100 @ A3 Issue: PL-11</p>	<p>Sun Path Orientation</p>  <p>PLANNING</p>	<p>Scale: 1:50 @ A1 / 1:100 @ A3</p> 	<p>Revisions</p> <table border="1"> <tr> <td>-</td> <td>08.02.2021</td> <td>Issued to York City Council for planning approval</td> </tr> </table>	-	08.02.2021	Issued to York City Council for planning approval	<p>Notes</p> <ol style="list-style-type: none"> Do not scale from this drawing. Drawing measurements taken from original measured survey undertaken by Wiles & Maguire. All dimensions, levels and boundary lines to be checked on site by contractor and such dimensions to be their responsibility. Party wall agreement with adjacent properties will need to be in place prior to construction. Report all drawing errors and omissions to the architect. Adjacent properties not surveyed. Levels are approximate. Refer to drawing number. 	<p>Key Plan</p>	<p>StudioDH: Architecture & Design</p>
-	08.02.2021	Issued to York City Council for planning approval							

Proposed floor plans



Client Linda Grenyer 14 Mount Parade York Drawing PROPOSED FLOOR PLANS Scale Scale - 1:50@A1 / 1:100@A3 0 1 2 3 4 5m		Sun Path Orientation 	Revisions - 09.02.2021 Issued to York City Council for planning approval AA 14.07.2021 Proposals amended. Existing basement fireplace unenclosed by kitchen units.	Notes 1. Do not scale from this drawing. 2. Drawing measurements taken from original measured survey undertaken by Wiles & Maguire. 3. All dimensions, levels and boundary lines to be checked on site by contractor and sun dimensions to be their responsibility. 7. Party wall agreement with adjacent properties will need to be in place prior to construction. 8. Report all drawing errors and omissions to the architect. 9. Adjacent properties not surveyed. 10. Levels are approximate 11. Refer to drawing number	Key Plan
Date 09.02.2021 Scale 1:100@A3 Rev AA PL-15	PLANNING				

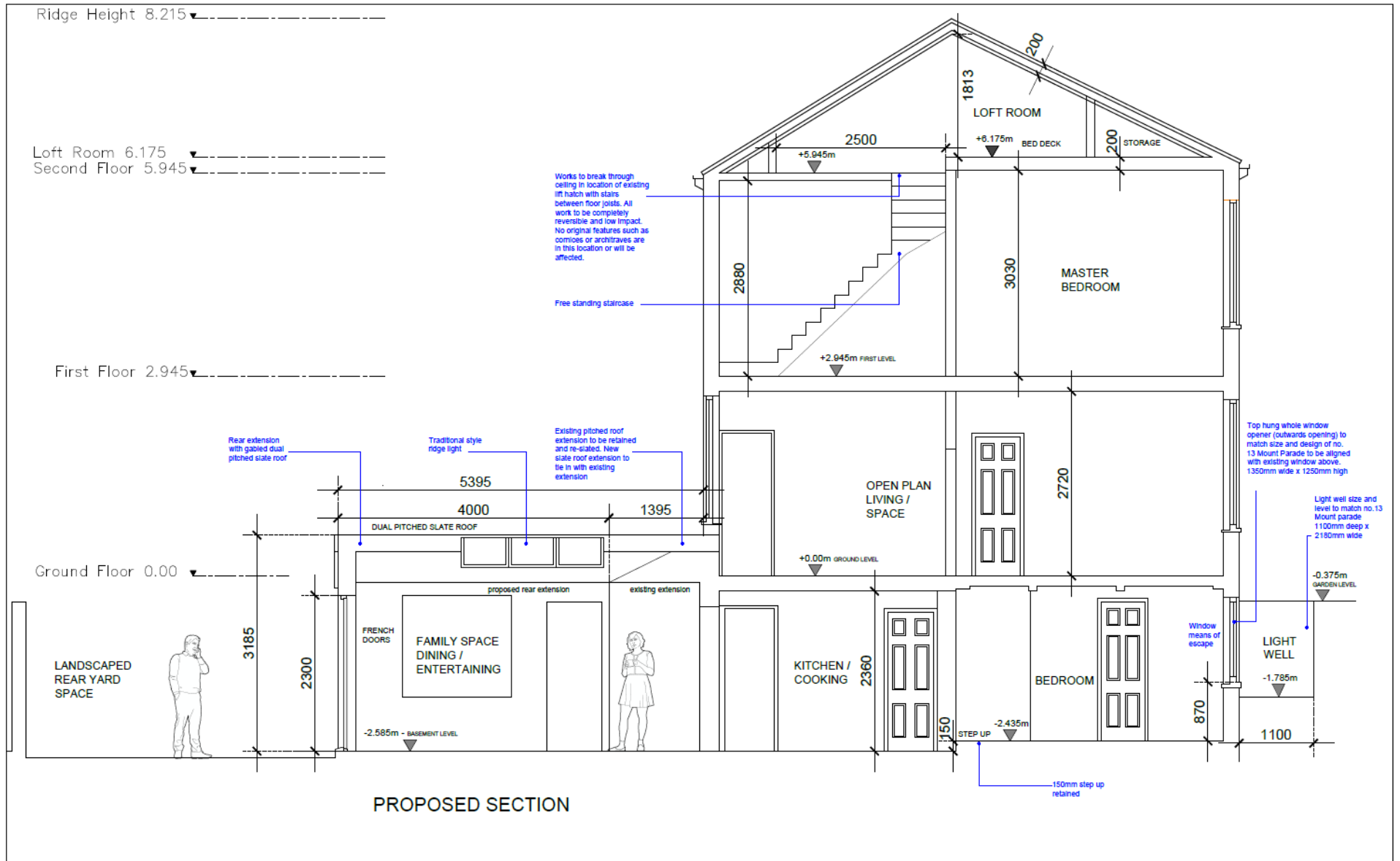
Existing section



EXISTING SECTION

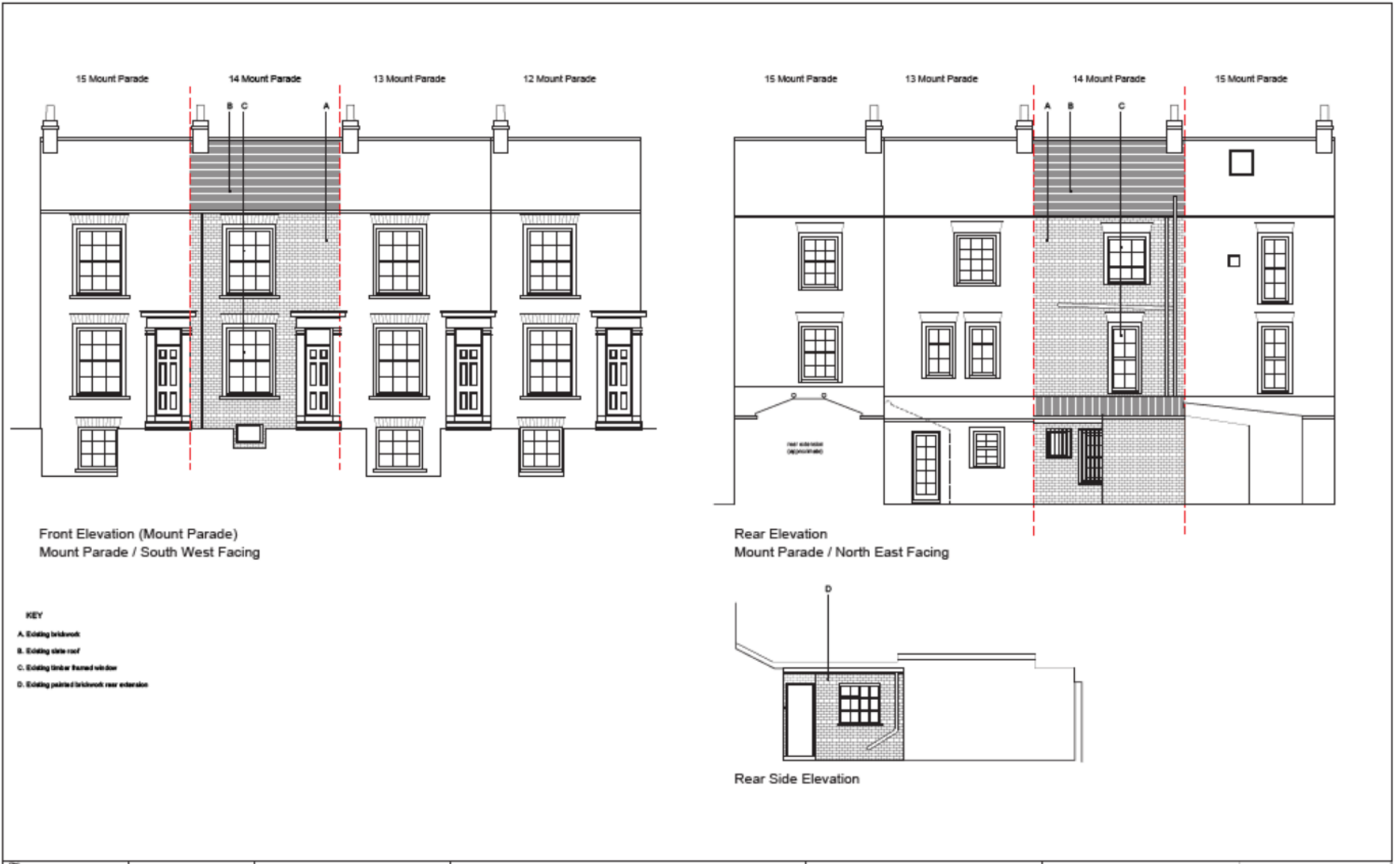
Name Linda Grayner Plot 14 Mount Parade York Drawing EXISTING SECTION Scale 1:50@A3 Date 09.02.2021 Drawing Number PL-12		Scale Scale - 1:50@A1 / 1:100@A3 	Revisions - 09.02.2021 Issued to York City Council for planning approval	Notes 1. Do not scale from this drawing. 2. Drawing measurements taken from original measured survey undertaken by Wilks & Maguire. 3. All dimensions, levels and boundary lines to be checked on site by contractor and such dimensions to be their responsibility. 7. Party wall agreement with adjacent properties will need to be in place prior to its construction. 8. Report all drawing errors and omissions to the architect. 9. Adjacent properties not surveyed. 10. Levels are approximate. 11. Refer to drawing number.	Key Plan 	StudioDH: Architecture & Design
Status PLANNING						

Proposed section



Client Linda Grenyer 14 Mount Parade York Drawing PROPOSED SECTION Scale 1:50@A3 PL-16	Date 09.02.2021 PLANNING	Scale Scale - 1:50@A1 / 1:100@A3 0 1 2 3 4 5m	Revisions - 09.02.2021 Issued to York City Council for planning approval	Notes 1. Do not scale from this drawing. 2. Drawing measurements taken from original measured survey undertaken by Wiles & Maguire. 3. All dimensions, levels and boundary lines to be checked on site by contractor and such dimensions to be their responsibility. 7. Party wall agreement with adjacent properties will need to be in place prior to construction. 8. Report all drawing errors and omissions to the architect. 9. Adjacent properties not surveyed. 10. Levels are approximate. 11. Refer to drawing number	Key Plan StudioDH: Architecture & Design
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Existing elevations



Title Linda Gemyer Project 14 Mount Parade York Drawing EXISTING ELEVATIONS Scale 1:100@A3 Revision PL-13		Date 09.02.2021 Status PLANNING	Scale Scale - 1:50@A1 / 1:100@A3 	Revisions - 09.02.2021 Issued to York City Council for planning approval	Notes 1. Do not scale from this drawing. 2. Drawing measurements taken from original measured survey undertaken by Wilson & Maguire. 3. All dimensions, levels and boundary lines to be checked on site by contractor and such dimensions to be their responsibility. 7. Party wall agreement with adjacent properties will need to be in place prior to its construction. 8. Report all drawing errors and omissions to the architect. 9. Adjacent properties not surveyed. 10. Levels are approximate. 11. Refer to drawing number	Key Plan	StudioDH: Architecture & Design
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Proposed elevations

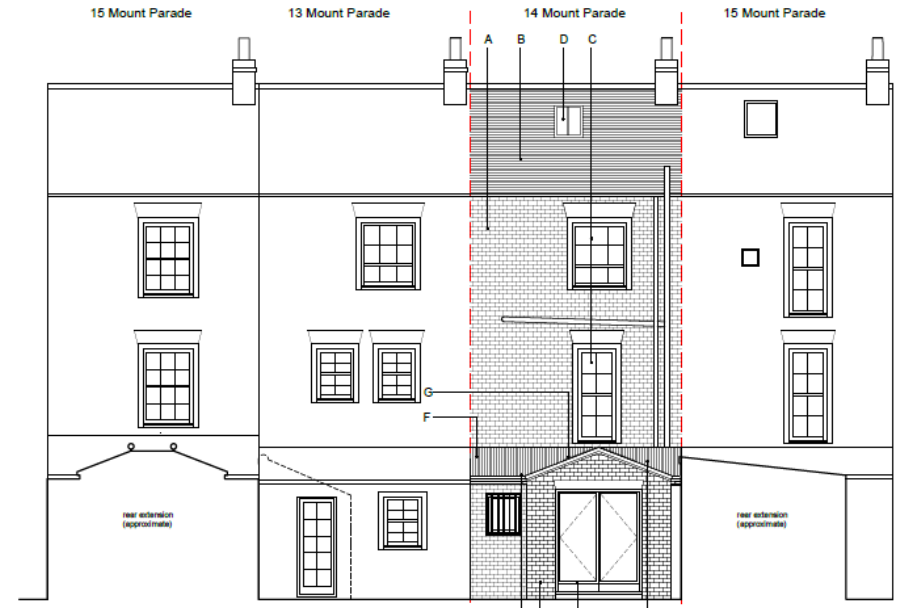


Front Elevation (Mount Parade)
Mount Parade / South West Facing

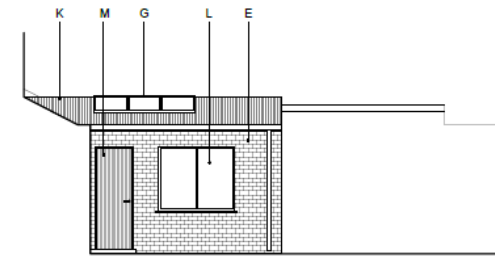
Light well size and level to match no.13 Mount Parade. Dimensions 1100mm deep x 2180mm wide

KEY

- A. Existing brickwork
- B. Existing slate roof
- C. Existing timber framed window
- D. New conservation Rooflight
- E. New brickwork to match existing
- F. Existing mono pitched roof extension retained and re-slated to tie in with new proposed dual pitched extension
- G. New aluminium framed traditional style ridge roof light
- H. New gutter and fascia.
- I. New aluminium framed Anthracite French doors fitted with safety glass to provide external access.
- J. New timber framed sash window to match existing windows and align with window above. Dimensions to match no.13 Mount Parade. Dimensions 1350mm wide x 1250mm high.
- K. New dual pitched slate roof to tie in with existing mono pitched roof
- L. Aluminium framed window in anthracite to match French doors
- M. New back door

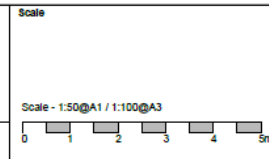


Rear Elevation
Mount Parade / North East Facing



Rear Side Elevation

Client Linda Grenyer		Scale 1:100@A3 / 1:100@A3	Revisions - 09.02.2021 Issued to York City Council for planning approval	Notes 1. Do not scale from this drawing. 2. Drawing measurements taken from original measured survey undertaken by Wiles & Maguire. 3. All dimensions, levels and boundary lines to be checked on site by contractor and such dimensions to be their responsibility. 4. Partly wall agreement with adjacent properties will need to be in place prior to construction. 5. Report all drawing errors and omissions to the architect. 6. Adjacent properties not surveyed. 7. Levels are approximate 8. Refer to drawing number	Key Plan
Project 14 Mount Parade York					
Drawing PROPOSED ELEVATIONS		Scale 1:100@A3 / 1:100@A3	Revisions	Notes	Key Plan
Date 1:100@A3	Issue Date 09.02.2021				
Drawing Number PL-17	Revision -	Office PLANNING			



Client Linda Grenyer		Scale 1:100@A3 / 1:100@A3	Revisions - 09.02.2021 Issued to York City Council for planning approval	Notes 1. Do not scale from this drawing. 2. Drawing measurements taken from original measured survey undertaken by Wiles & Maguire. 3. All dimensions, levels and boundary lines to be checked on site by contractor and such dimensions to be their responsibility. 4. Partly wall agreement with adjacent properties will need to be in place prior to construction. 5. Report all drawing errors and omissions to the architect. 6. Adjacent properties not surveyed. 7. Levels are approximate 8. Refer to drawing number	Key Plan
Project 14 Mount Parade York					
Drawing PROPOSED ELEVATIONS		Scale 1:100@A3 / 1:100@A3	Revisions	Notes	Key Plan
Date 1:100@A3	Issue Date 09.02.2021				
Drawing Number PL-17	Revision -	Office PLANNING			

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Date 1:100@A3	Issue Date 09.02.2021				
Drawing Number PL-17	Revision -	Office PLANNING			

StudioDH:
Architecture
& Design

COMMITTEE REPORT

Date: 20 January 2022 **Ward:** Guildhall
Team: East Area **Parish:** Guildhall Planning Panel

Reference: 21/00601/FULM
Application at: Church House 10 - 14 Ogleforth York YO1 7JG
For: Conversion of office to form 11no. apartments with associated external works and landscaping, including 2no. additional windows, new roof lights, new ramped access and refuse/bicycle store
By: Mr Alexander McCallion
Application Type: Major Full Application
Target Date: 27 January 2021
Recommendation: Delegated Authority to Approve subject to Section 106 Obligation

1.0 PROPOSAL**THE SITE**

1.1 The application site is Church House, on the south-west side of Ogleforth, in the city centre. The building is built to the back of the pavement, with a small car park adjoining to the south-east, accessed from Ogleforth and set behind timber bollards and chain fence and backed by a high brick wall. To the rear, the site backs onto an area of open garden associated with St William's College which is notably higher than street level (circa 1m higher). Access is gained from within Church House or St Williams College and through large painted timber gates in the brick wall and a set of steps.

1.2 Church House comprises a former commercial building, industrial in appearance and three storeys in height with attic space currently used for storage. It is roughly 'T' shape in plan, constructed from red brick to Ogleforth and pink-brown brick on side and rear elevations, with a pitched slate roof. The main part of the building was constructed in the late 19th century, and substantially altered in the 20th century, including the three storey plant extension on its south east elevation. It is currently vacant but was last used as offices for Dean and Chapter staff from York Minster.

1.3 The building is not listed but is within the Central Historic Core Conservation Area and Character Area 9: The Minster Precinct. It is within the City Centre Area of Archaeological Importance and Flood Zone 1 (low risk of flooding). The whole of the

site, and area to the west is within the scheduled monument: York Minster Cathedral Precinct.

1.4 Church House is considered to be within the setting of the following listed buildings: York Minster (Grade I), St Williams College (Grade I), Listed as one entry: Nos. 5 Chapter House Street and 16, 18 and 20, Ogleforth (Grade II), Cromwell House, No. 13 Ogleforth (Grade II*) and No. 11 Ogleforth (Grade II). There are views from Ogleforth across the site's car park towards the rear of St William's College and the Minster beyond.

PROPOSAL

1.5 The development is proposed by Chapter of York Minster. Revisions have been received since submission for the external area and the final scheme is described. The proposal is to convert the building from office to residential accommodation comprising 11no. residential apartments; three on each floor and two in the converted attic space. The mix will comprise 4no. one-bedroom apartments, 6no. two-bedroom apartments and 1no. three-bedroom apartment with the gross internal floorspace ranging from 44 sq.m to 107 sq.m. There is no proposed extension to the building envelope. External changes comprise replacing all windows with new double-glazed windows with metal frames to match the existing style, replacing a modern entrance on the south-west elevation with a window and the insertion of extractor vents. Conservation style, flush fitting roof lights will be set into the roof to provide natural light and ventilation to the flats in the converted attic.

1.6 Alterations are proposed to the existing car park to provide stepped and ramped access into Church House. A brick plinth topped with painted railings with pedestrian and vehicle gates is proposed for the boundary with Ogleforth. A new brick store with green roof to the rear of the car park will provide refuse and cycle storage. Car parking is for 2no. cars. The garden beyond the high brick wall will be a shared amenity space for the new residents. The two semi-mature Silver Pendant Lime trees and mature London Plane tree will be retained.

RELEVANT PLANNING HISTORY

1.7 Permissions have been granted for the restoration, internal alteration and change of use of St William's College to provide office accommodation for the Dean and Chapter staff of York Minster and to enable the current scheme for Church House to be promoted and implemented through the relocation of staff from Church House into St William's College.

2.0 POLICY CONTEXT

2.1 City of York Publication Draft Local Plan (2018)

DP3 Sustainable Communities

SS3 York City Centre

D2 Landscape and setting

D4 Conservation areas

D5 Listed buildings

D11 Extensions and alterations to existing buildings

GI4 Trees and hedgerows

EC2 Loss of employment land

H10 Affordable housing

CC2 Sustainable design and construction

York Minster Precinct Submission Draft Neighbourhood Plan (2021)

B1 Landscape and Biodiversity Net Gain

C1 Historic Environment

PA4 Own Use Properties

3.0 CONSULTATIONS

INTERNAL

Design, Conservation And Sustainable Development (Conservation)

3.1 Replacement windows must be metal 'Crittall' type to reflect the industrial aesthetic and maintain character. No objections to the large rooflights as this reflects the character of the building. Large areas of roof glazing were a particular feature of this type of industrial building and small conservation type rooflights are considered to be more appropriate in a domestic setting rather than on this building.

Design, Conservation And Sustainable Development (Archaeology)

3.2 Church House lies within the Central Area of Archaeological Importance and the Scheduled Minster Precinct (1017777). Scheduled Monument Consent is required before any works commence. A desk-based assessment has been produced and submitted as part of this scheme. The assessment has concluded that

archaeological deposits of significance may lie between 1-2m+ below the present modern ground surface, although the foundations of 19th century buildings which stood on the site may lie just below the ground surface. It is unclear whether any of the 19th century buildings on this site contained cellars.

3.3 The below-ground archaeological impacts of this proposal will relate to the construction of the ramp, bin store and wall within the car park area. The works are unlikely to penetrate to significant archaeological features or deposits. However, an archaeological watching brief will be required during groundworks to record the nature of any deposits which are revealed during works. This can be conditioned.

Design, Conservation And Sustainable Development (Landscape)

3.4 The landscape architect objected to the originally proposed removal of the mature Lime tree at the rear of the building (highest retention category A1). The subdivision of the rear space with the proposed wall could not be supported due to the harm it would cause to the root systems of the London Plane and Silver Pendant Lime.

3.5 Following the receipt of the final scheme with the retention of the tree shown, the landscape architect advised of a pre-commencement condition to protect the grade A trees during construction works by the erection of protective fencing.

Highways Network Management

3.6 Recommended that the development was car free in this location as proposed plans and earlier revisions do not show enough space for vehicles to park (car parking spaces are too short) nor able to manoeuvre safely within the site through reference to the swept paths. The cycle and bin stores need to be separated. The pedestrian access is too small and should be 2m wide to accommodate wheelchair access. Should these issues be resolved, conditions are advised.

Flood Risk Management

3.7 The replacement surfacing for the proposed car park may require a replacement drainage scheme. Any formal drainage details should be to CYC's SuDS Guidance for developers to include a reduction in surface water run-off / betterment requirements. This can be conditioned.

Public Protection

3.8 Public Protection have no objections subject to the attachment of a condition on reporting of any unexpected contamination found and the passive provision of an electric vehicle recharging point. The standard development informative is also advised.

Housing Policy

3.9 An affordable contribution of £365,292.40 is required in accordance with policy H10. The applicants have stated that there is a clear case for not providing any affordable housing contribution. Usually this can only be discounted on the basis of a non-viable scheme. The applicants have not presented the scheme as being unviable however.

EXTERNAL

Guildhall Planning Panel

3.10 The Panel are worried that the number of proposed flats is excessive and leads to a lack of light in many of the rooms and the removal of a healthy mature tree. They are also concerned by the lack of turning provision. The small amount of space for bins and cycle storage is unrealistic. The addition of a front wall provides a restrictive sightline for vehicles accessing the site.

4.0 REPRESENTATIONS

York Civic Trust

4.1 The Trust supports the application, believing the proposed change of use to residential is suitable for this part of the Central Historic Core Conservation Area. Church House is not a listed building, however, the history of its use is of local interest, as evidence of former industrial/commercial activity in the heart of the city, which has been lost in recent times. The former uses of the building, including the purpose for what it was built, might have been given more attention in this application and could have informed key characteristics of the proposed residential conversion to help give it a stronger 'identity'. There are concerns regarding the form and size of the proposed rooflights which may be visible from the City Walls and the Minster. A preference would be for the rooflights to be narrower and more

conservation style. The Trust would welcome replacement double-glazed window frames that are either timber or metal which would help retain the industrial appearance. The obscure glazing on the front elevation may potentially adversely alter the visual appeal of the building and reconfiguration of the internal layouts away from front elevation bedrooms may lessen the need for such privacy measures.

The National Trust

4.2 As adjoining landowner had no objections to the proposed development.

5.0 APPRAISAL

KEY ISSUES

5.1 The key issues are:

- Principle of change of use
- Impact on designated heritage assets and landscaping
- Design
- Parking and access
- Affordable housing contribution
- Sustainable development

LEGISLATION

5.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that determinations be made in accordance with the development plan unless material considerations indicate otherwise.

5.3 Sections 16(2) and 66(1) of the Planning (Conservation Areas and Listed Buildings) Act 1990 require special regard to be had to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.

5.4 Section 72 of the Act requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

PLANNING POLICY

National Planning Policy Framework 2021

5.5 The revised National Planning Policy Framework was republished in July 2021 (NPPF) and its planning policies are material to the determination of planning applications.

5.6 The NPPF sets out the Government's overarching planning policies. Paragraph 7-11 explains that the purpose of planning is to contribute to achieving sustainable development including economic, social and environmental objectives. Development proposals that accord with an up-to-date development plan should be approved without delay. Where there are no relevant development plan policies or where they are out of date, planning permission should be granted unless policies in this framework that protect areas or assets of particular importance (including development which would harm designated heritage assets) provide a clear reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole.

5.7 Section 5 outlines the Government's objective of significantly boosting the supply of homes. Where a need for affordable housing is identified, this should be expected to be met on-site unless off-site provision or an appropriate financial contribution in lieu can be robustly justified and the agreed approach contributes to the objective of creating mixed and balanced communities. For major development, at least 10% of the total number of homes is expected to be made available for affordable home ownership.

5.8 Small and medium size windfall sites can make an important contribution to meeting the housing requirements for an area and great weight should be given to the benefits of using suitable sites within existing settlements.

5.9 Section 11 supports the development of under-utilised land and buildings, especially for housing. Section 12 underlines the importance of well-designed places to create better places to live and work. Planning decisions should ensure that development will function well and add to the overall quality of the area, be visually attractive as a result of good architecture, layout and appropriate and effective landscaping, and create places that are safe, inclusive and accessible, and which promote health and well-being with a high standard of amenity for future users. Existing trees should be retained wherever possible.

5.10 Section 16 on conserving and enhancing the historic environment confirms that heritage assets are irreplaceable and should be conserved in a manner appropriate to their significance. The significance of heritage assets should be sustained and enhanced and put to viable use, consistent with their conservation. Great weight should be attached to the conservation of designated heritage assets where proposed development will have an impact on significance. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Paragraph 202 makes clear that where a proposed development would lead to less than substantial harm to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Publication Draft Local Plan 2018

5.11 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 policies can be afforded weight according to:

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

5.12 DP3 Sustainable communities sets development principles including respecting and enhancing the historic character and landscape of York, enhancing existing key views and providing an appropriate range of housing. Policy SS3 York City Centre confirms that its special qualities and distinctiveness should be conserved and enhanced.

5.13 Policy D4 Conservation Areas supports proposals within conservation areas that will preserve or enhance the special character and appearance of the

conservation area. Changes of use will be supported when it has been demonstrated that the primary use of the building is no longer sustainable and where the proposed new use would not significantly harm the special qualities and significance of the conservation area. Policy D5 requires development proposals to preserve and enhance the setting of listed buildings. Policy D11 on alterations to existing buildings requires that the design responds to its immediate architectural context and local character, uses appropriate materials and detailing, protects the amenity of current and neighbouring occupiers, contributes to the function of the area and is safe and accessible.

5.14 Policy D2 requires development proposals to recognise the significance of landscape features such as mature trees, and other important character elements and retain them where they can be suitably managed and sustained. Policy G14 requires trees that make a positive contribution to the character or setting of a conservation area or a listed building to be retained.

5.15 Policy EC2 'loss of employment land' protects land or buildings that were currently or last used for employment uses. Applicants should demonstrate that existing buildings are not viable in terms of market attractiveness or business operations amongst others, and would not lead to the loss of a necessary employment site. Policy H10 on affordable housing sets an affordable housing requirement of 20% for either an onsite provision or offsite financial contribution (for an urban brownfield site of less than 15 dwellings).

5.16 Policy CC2 Sustainable design and construction requires conversion of buildings to residential use to achieve BREEAM domestic refurbishment 'very good'. Where proposals relate to buildings of heritage or conservation value, these standards would only be required where they can be achieved in a manner consistent with appropriate conservation.

York Minster Precinct Neighbourhood Plan

5.17 The Submission Draft of the York Minster Precinct Neighbourhood Plan (April 2021) was consulted on between 14 July and 8 September 2021. Written representations were collated and a final version of the Plan has been sent to the independent examiner for consideration. The examination is currently underway with adoption anticipated for 2022. The draft plan is a material consideration, and it is considered that moderate weight can be attached to its policies at this stage.

5.18 The vision includes the need to make best use of Chapter's assets within the Precinct for the good of the Minster. Figure 10: Spatial Vision identifies Church House for 'new homes'. St William's College adjacent, is 'Minster back-of-house facilities and staff accommodation'. The Submission Draft identifies a 'notable view' from Ogleforth across the car park of Church House to St Williams College and The Minster (Figure 10: Constraints). Throughout the Plan, the importance of trees for environmental and sustainability objectives, to maintain and enhance biodiversity, and to enhance character is underlined. Any harm to trees from development proposals must be clearly justified in terms of public gain against the value of these trees recognising that trees have differing arboricultural, aesthetic, biodiversity and amenity values (Policy B1).

5.19 Policy C1 'Historic Environment' states that development should protect, conserve and seek opportunities to enhance the internationally important historic environment of the Minster Precinct. Development proposals should conserve the significance of designated heritage assets (including their setting) by protecting and enhancing architectural and historic character, historical associations, archaeological deposits, and landscape interest through consideration of siting, scale, mass, form, layout, design, materials, use, and views both from and towards the asset.

5.20 Policy PA4 'Own use properties' (D) specifically states that permission will be sought to reconfigure and extend Church House to accommodate residential uses, following the relocation of Chapter staff to St William's College. Any new development will take into account important views from Ogleforth.

APPRAISAL

Principle of change of use

5.21 Church House is a four bay, three storey brown and red brick building, with pitched slate roof. From the original plan form it was extended on its south-east elevation by a three storey linear vertical extension to provide heating, boilers and WC facilities for the offices. Internally the floors are subdivided into a series of smaller rooms.

5.22 Church House is currently used by the Dean and Chapter of York Minster as office space. The Submission Draft Neighbourhood Plan seeks to protect the special character of The Minster Precinct but also sets out a series of projects within the

area. This is to rationalise space, provide office space fit for purpose, maximise existing assets and to generate additional income for the benefit of conservation of designated heritage assets within the Precinct. Planning and listed building consent was granted for the change of mix of uses within St Williams College which has been vacant since 2011. The 2020 planning permission granted consent for office use for most of the building which it is understood would provide office accommodation for the Dean and Chapter to relocate from Church House. The Submission Draft Neighbourhood Plan identifies that Church House be converted from office to residential through Policy PA4 'Own use properties' (part d). This Draft Plan carries material weight and justifies the assessment to address Policy EC2 'loss of employment land' in the Publication Draft Plan 2018 in that the existing building is no longer viable in terms of current business operation, and there is no loss of employment as a result of the change of use as the staff from the offices are to be relocated to other buildings in The Minster Precinct. The change of use is therefore considered to be in accordance with emerging local planning policies.

5.23 The conversion will provide 11 flats over four floors; three flats on each floor and two in the attic. These comprise 4no. one-bedroom flats, 6no. two-bedroom flats and 1no. three bedroom flat. They range from 44 sqm to 107 sqm gross internal floorspace, and floorplans show a suitable layout with windows to each habitable room (some with dual aspect) and an open plan living/dining/kitchen space for each unit. The two flats in the attic have large rooflights to each habitable space, with two to the living area.

Impact on designated heritage assets

5.24 Church House is not listed, but is within the Central Historic Core Conservation Area. The summary of the Conservation Area identifies the Minster and its Precinct as outstanding due to the plethora and quality of the listed buildings. The scale and size of the Minster, and its precinct of Medieval, Georgian, Victorian and later buildings form one of the main elements of the character and appearance of the conservation area, and its complex townscape with an infinite variety of form and period set within a strong landscape structure.

5.25 Church House is within the setting of a number of listed buildings; most notably St Williams College and The Minster as viewed from Ogleforth, both listed Grade I. This 'notable view' is identified in The Submission Draft Neighbourhood Plan. It is also within the Central Area of Archaeological Importance and the Scheduled Minster Precinct. All comprise designated heritage assets to which great

weight should be given to their conservation when considering development proposals. Any harm should require clear and convincing justification.

5.26 Referencing the Design and Access Statement, it is understood that the site was occupied until the early 19th century by a row of properties including tenements, coach houses and stables arranged along the street frontage. Gradually this was replaced by commercial uses including a book binders and coach builders works. This building was demolished however in the late 19th/early 20th century when the current building was erected, and used for various purposes including a bookbinders. It has however been used as offices since the mid-1980s when purchased by the Dean and Chapter.

5.27 The character of Ogleforth, leading into Chapter House Street is special, of quiet, human scale, with buildings and tall brick walls providing glimpses though to private gardens and hidden quarters, whilst in the shadow of the soaring Minster, which can be glimpsed at key points along the street. The buildings are varied in age, form and architecture but the commercial character of Church House sits comfortably alongside the residential buildings. The retention and conversion of the building is welcomed and the new use will preserve the character of this part of the conservation area and street as a quiet historic back lane.

5.28 The external changes to the building itself relate to the installation of replacement double glazed windows throughout, of the same multi-pane design and form of opening as the existing, with slim metal 'crittall' style frames, to preserve the existing industrial character of the building. The existing slatted vented openings to the offshoot will be retained as is. Eight top-hinged, flush fitting conservation style rooflights will be fitted to the roof to provide daylight to the top floor units. Officers consider the rooflights to be of acceptable scale and design for this building in this location, and have been amended to be conservation style.

5.29 Considering the change of use, proposed external alterations to the building and within the car park, and that the Grade A semi-mature trees are all retained (see below), no harm has been identified to the character or appearance of the conservation area, nor the setting of the listed buildings. The view from Ogleforth towards St Williams College and The Minster is preserved. A condition is advised by the city archaeologist for a watching brief on any ground disturbing works in the car park with the construction of the ramp, bin/cycle store and walls unlikely to penetrate to significant archaeological features or deposits. Therefore no harm has been identified in relation to archaeology nor the scheduled monument.

External alterations

5.30 The plans for the external area have been altered since submission to address concerns of officers. The final scheme proposes retention of all three mature trees within the application site boundary; the two semi-mature Silver Pendant Lime (Grade A1) and the London Plan (Grade A). It was agreed that cyclical crown reduction and crown lifting of the Silver Pendant Lime closest to the building would be supported. The proposal for a new reclaimed brick wall within the roots zones of these trees is no longer proposed. Plans show the area beyond the car park and between St Williams College as available as a shared amenity space for the residents.

5.31 Revised plans for the car park have been submitted with the final scheme addressing concerns of the highways officer. The final scheme shows a new boundary wall with brick plinth and stone capping with painted black steel railings to Ogleforth. Cars can reverse in and exit in forward gear. A new ramped and stepped access is proposed with two new automated 2m wide gate from the street and car park to facilitate entry for those using wheel chairs. The car park now shows just two car parking spaces (early versions did not have space for more cars to manoeuvre) with EV recharging facilities for each space.

5.32 A new bicycle and bin store (with internal division) is proposed to the back of the car park set against the brick garden wall. It will have a flat 'green roof' and is capable of accommodating 12 bicycles on 6 Sheffield stands. This meets CYC standards.

Affordable housing contribution

5.33 In accordance with NPPF policies and emerging local plan policy H10 Affordable Housing, an on or off-site contribution equivalent to 20% of the units is required. Housing policy advised that an off-site contribution to affordable housing provision should be secured to the value of £365,292.40.

5.34 The Submission Draft Neighbourhood Plan has been prepared to set a masterplan for the long-term development of The Minster Precinct. There are a number of projects underway, including the Refectory at the former Minster School, and College Green. However there are other less high profile projects including the planning permissions and listed building consents to bring the vacant St Williams

College back into use by reordering the support and office facilities of Chapter into one building and releasing other assets for new uses. The existing offices and staff from Church House will move into St Williams College thereby releasing Church House.

5.35 Chapter have advised that the project is income generating for the benefit of the upkeep of York Minster. The units are not for sale, but will be leasehold with rentals an additional income-stream for the charitable body. On-site provision of affordable housing is thus not suitable as provision of affordable housing within the building would reduce the income generated.

5.36 The applicant highlights the significant public benefits that would be secured for the upkeep on The Minster through the project, its resources and wider assets set out by the Neighbourhood Plan. York Minster and its precinct is of international importance. They report that York Minster is operating at a vast deficit and with a significant and ongoing conservation deficit to address. It costs over £22,000 a day to care for and operate York Minster. The Minster report they receive no ongoing Government funding or central Church of England financial support towards the care of its fabric and relies on donations, paying visitors and funding bodies. The cost of conservation works is hugely costly and on-going. For example, the South Quire Aisle restoration alone is scheduled to take 14 years at a cost of £16m. The conversion of Church House will create optimum value in terms of an income stream, with annual income estimated to be circa £150,000 (Planning Statement).

5.37 The NPPF and emerging local plan policies are very clear that great weight should be attached to the conservation of designated heritage assets, and the more important the asset, the greater the weight should be. The Minster is listed Grade I, there are many other listed buildings within the Precinct under the care of Chapter, and the whole of the area is a scheduled monument. Therefore of the highest listing and protection, it follows that great weight should be attributed to projects that further that aim. It has been discussed that in lieu of the affordable housing contribution, the same contribution could be set to a specific conservation project in the Minster: the restoration of a medieval window S32, 'The Mauley Window' in the South Nave Aisle. A section 106 planning obligation would to secure the equivalent of the affordable housing contribution (£365,292.40) for the restoration of this window. Officers consider that the support for the conservation works at the Minster is a public and heritage benefit and a material consideration, to which significant weight can be attached which can outweigh the requirements of draft affordable

housing policy H10 of the Publication Draft Local Plan and paragraphs 63 and 65 of the NPPF (2021).

Sustainable development

5.38 Policy CC2 'Sustainable design and construction' requires conversions to residential use to achieve BREEAM domestic refurbishment 'very good'. A planning condition would be attached to any planning permission.

6.0 CONCLUSION

6.1 The proposal is for the change of use of Church House from offices to 11 no. flats with external alterations in the form of replacement windows, new ramped access, car park suitable for two electric vehicles and bin and cycle store. The revised proposals are found to be in accordance with the Submission Draft Neighbourhood Plan which identifies Church House for residential use. The design is appropriate and picks up on the character of the building and this part of The Minster Precinct and secures a good level of amenity for future residents both in terms of the conversion and external space. No harm has been identified to any designated heritage asset. It is considered that the public and conservation benefits of conserving and restoring medieval window S32 in The Minster are clear, and subject to £365,292 being secured for the project by a S106 planning obligation, outweigh the application of the draft affordable housing policy. Great weight is attached to the contribution to the restoration of York Minster, a Grade I listed building and scheduled monument which is in constant need of upkeep at huge cost.

6.2 The proposals are thus found to be in accordance with sections 5, 12 and 16 in the NPPF 2021. The scheme is also in accordance with D2 Landscape and setting, D4 Conservation Areas, D5 Listed Buildings, D11 on alterations to existing buildings in the Publication Draft Local Plan 2018. Finally it is also in accordance with the Submission Draft of the York Minster Precinct Neighbourhood Plan (April 2021).

7.0 RECOMMENDATION:

That the Area Planning Sub-Committee recommend to the Chief Operating Officer that delegated authority be given to the Head of Planning and Development Services to APPROVE the application subject to:

a) The completion of a Section 106 Planning Obligation to secure £365,292 to be used for the conservation and restoration of Minster window S32

b) The conditions set out below, and

The Head of Planning and Development Services be given delegated authority to finalise the terms and details of the Section 106 Obligation and conditions.

1 TIME2 Development start within three years

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

Site location plan, CHY-PUR-01-SL-DR-A-0001, rev. P03 received 16.09.2021
Proposed site block plan, 2000, rev. P04, received 16.09.2021
Proposed rear yard, CHY-PUR-01-SL-DR-A-2007, rev. P04 received 07.12.2021
Proposed elevations, 2006, rev. P08, received 07.12.2021
Proposed ground floor plan, 2001, rev. P12, received 07.12.2021
Proposed first floor plan, 2002, rev. P09, received 16.09.2021
Proposed second floor plan, 2003, rev. P09, received 16.09.2021
Proposed third floor plan, 2004, rev. P10, received 16.09.2021
Proposed roof plan, 2005, rev. P06, received 16.09.2021
Proposed section, 2020, rev. P02, received 14.06.2021
Design, access and heritage statement, September 2021

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

3 A programme of post-determination archaeological mitigation, specifically an archaeological watching brief is required on this site. The archaeological scheme comprises 3 stages of work. Each stage shall be completed and approved in writing by the Local Planning Authority.

A) No ground disturbing work shall take place until Scheduled Monument Consent has been granted and a written scheme of investigation (WSI) for a watching brief has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSI. The WSI should conform to standards set by LPA and the Chartered Institute for Archaeologists.

B) The site investigation and post investigation assessment shall be completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition will be secured. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

C) A copy of a report shall be deposited with City of York Historic Environment Record to allow public dissemination of results within 2 months of completion or such other period as may be agreed in writing with the Local Planning Authority.

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

4 Trees shown to be retained shall be protected during the development of the site by the following measures. Prior to commencement on site of demolition, clearance, site preparation, building or other development operations, including the importing of materials and any excavations, protective fencing to BS5837: 2012 shall be erected around all existing trees within the site boundary shown to be retained (and neighbouring trees where they may also be affected). The fencing shall be erected below the outermost limit of the branch spread, or at a distance equal to half the height of the tree, whichever is the further from the tree, (except where this is limited by existing built structures) and subsequently adhered to at all times during development to create exclusion zones. None of the following activities shall take place within the exclusion zones or within the canopy spread of existing trees: excavation, raising of levels, storage of any materials or top soil, lighting of fires, parking or manoeuvring of vehicles. Within the exclusion zones there shall be no site huts, no mixing of cement, no disposing of washings, no stored fuel, no new trenches/pipe runs for services or drains. The fencing shall remain secured in position throughout the construction process. A notice stating 'tree protection zone - do not remove' shall be attached to each section of fencing.

Reason: To ensure protection of existing trees before, during and after development which make a significant contribution to the amenity of the area and development.

5 The development hereby approved shall not be occupied until covered and secure cycle parking facilities, for twelve (12) cycles, have been provided in accordance with detailed drawings, which are to be submitted to and approved in writing by the Local Planning Authority. 6no. Sheffield stands or equivalent shall be shown within the cycle store, securely fixed to the ground and details of internal and external lighting shall be provided. Once approved in writing by the Local Planning Authority, thereafter the cycle and refuse store shall be provided fully in accordance with these approved details prior to first occupation of the development. The cycle and bin store shall be retained as such for the lifetime of the development for the purpose of providing secure cycle storage.

Reason: To ensure that adequate provision for the parking of cycles and to ensure the design is appropriate for its location within this part of the conservation area.

6 The development shall not be occupied until any vehicular accesses not shown as being retained on the approved plans have been reinstated in accordance

with details to be submitted to and approved in writing by the Local Planning Authority prior to the new access hereby approved being brought into use.

Reason: In the interests of good management of the highway and road safety.

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

Reason: To prevent obstruction to other highway users.

8 No works shall commence in the car park until details of any new or replacement foul and surface water drainage works have been submitted to and approved in writing by the Local Planning Authority, and implemented in accordance with these approved details prior to this space coming into use.

Reason: So that the Local Planning Authority may be satisfied with these details for the proper drainage of the site.

9 In the event that unexpected contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. Should any be found, an investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

10 The development should incorporate sufficient capacity within the electricity distribution board for minimum one dedicated radial AC single phase connection to allow the future addition of an Electric Vehicle Recharge Point (minimum 32A) within the parking area. The proposed location for a future Electric Vehicle Recharge Point within the development curtilage shall be retained as shown on the proposed plans for the lifetime of the development and any necessary trunking/ducting must be in place to enable cables to be run to the specified location prior to first occupation of the development.

Reason: To ensure future electric vehicle charge points can be easily added to the property in line with the NPPF and CYC's Low Emission Strategy.

11 Unless otherwise approved in writing by the Local Planning Authority, the development shall be carried out to a BRE Environmental Assessment Method (BREEAM) standard of domestic refurbishment 'Very good' or equivalent. A post construction stage assessment shall be carried out and a post construction stage certificate shall be submitted to the Local Planning Authority within 6 months of the date of the assessment (or in the case of the certificate, as soon as practical after occupation). Where it can reasonably be demonstrated that 'very good' is not feasible, full justification for the lower rating shall be submitted to and approved by the Local Planning Authority prior to the commencement of development. Should the development fail to achieve a BREEAM standard of 'Very good' or the approved alternative rating, a report shall be submitted for the written approval of the Local Planning Authority demonstrating what remedial measures should be undertaken to achieve the approved standard. The approved remedial measures shall then be undertaken within a timescale to be approved in writing by the Local Planning Authority.

Reason: In the interests of achieving a sustainable development in accordance with the requirements of Policy CC2 of the Emerging Local Plan.

12 Large scale details of the items listed below shall be submitted to and approved in writing by the Local Planning Authority prior to development commencing on site. Once approved, the works shall be carried out in accordance with these details as approved.

- 1:10 elevation drawings and horizontal and vertical typical cross sections of all new and replacement windows and doors and method of opening for the windows. The one brick deep reveal shall be maintained and shown on the drawings.
- 1:10 elevation drawings and cross sections of the new brick plinth wall, stone capping and railings
- 1:10 elevation drawings and cross sections of the new vehicle and pedestrian gates
- 1:10 elevation drawings and cross sections of the new ramps and steps, stone capping and railings
- 1:10 elevation drawings and cross section of the cycle and refuse store, including the eaves and green roof

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

13 The infill brickwork shall match the existing brickwork in all respects ie, bonding, size, colour and texture of bricks and the colour and finished treatment of mortar joints, to the satisfaction of the Local Planning Authority.

Reason: To ensure that the finished appearance is to the satisfaction of the Local Planning Authority.

14 Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any external works. The development shall be carried out using the approved materials.

Note: Because of limited storage space at our offices it would be appreciated if sample materials could be made available for inspection at the site. Please make it clear in your approval of details application when the materials will be available for inspection and where they are located.

Reason: So as to achieve a visually cohesive appearance.

15 A sample panel of the brickwork to be used for the brick plinth, dwarf wall for the ramp, steps and cycle and refuse store shall be erected on the site and shall illustrate the colour, texture and bonding of brickwork and the mortar treatment to be used, and shall be approved in writing by the Local Planning Authority prior to the commencement of these elements of building works. This panel shall be retained until a minimum of 2 square metres of wall of the approved development has been completed in accordance with the approved sample.

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.

16 Prior to installation in the roof, product details shall be provided of the conservation roof lights, which shall be top hinged and low profile with a central glazing bar, as shown on the Proposed Roof Plan 2005 revision P06 for approval in writing by the Local Planning Authority. Thereafter they shall be installed in accordance with these approved details and so retained.

Reason: To preserve the character of this part of the conservation area through appropriate design.

17 Unless otherwise approved in writing by the Local Planning Authority, the metal railings shall have a black painted finish for the lifetime of the development.

Reason: To preserve the established character of this part of the conservation area where painted railings dominate in the Minster Precinct.

18 Prior to the completion of the mechanical ventilation system, details of the position and design of the extraction grilles shall be provided, for approval in writing to the Local Planning Authority. Thereafter they shall be installed in accordance with these approved details and so retained.

Reason: To preserve the character of this part of the conservation area through appropriate discrete design and location.

19 There shall be no sub-division of the amenity space to the rear with a new wall or similar boundary that involves any ground disturbance.

Reason: To protect the root zones and thereby the health of the grade A Silver Pendant Lime and London Plane trees.

8.0 INFORMATIVES:

Notes to Applicant

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

In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraph 38) 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:

Requested that the Silver Pendant Lime be retained (with crown reduction and lifting as required), that the rooflights be identified as conservation style, replacement windows be metal framed, secured amendments to the car park to ensure cars could manoeuvre within the space and gates were sufficiently wide, and that there was no development within the root zones of the three mature trees within the site. Agreed that the off-site affordable housing contribution could be used for a specific restoration project of a window in the South Nave of The Minster as the conversion of Church House was to generate a further income stream to support the Chapter in its responsibilities to protect The Minster Precinct. This would be secured by a S106 planning obligation.

2. INFORMATIVE: SCHEDULED MONUMENT CONSENT

Scheduled monument consent is required for all works in the car park before works commence. An application should be made to Historic England.

3. INFORMATIVE: WORKS IN THE HIGHWAY

You are advised that prior to starting on site, consent will be required from the Highways Authority for the works being proposed under the Highways Act 1980 (or legislation/ regulations listed below). For further information, please contact ::

- Scaffolding licence (Section 169) highway.regulation@york.gov.uk
- Works in the highway (Section 171) streetworks@york.gov.uk

- Temporary highway closure (Road Traffic Regulation Act 1984, Section 14)
highway.regulation@york.gov.uk

INFORMATIVE: DEVELOPMENT

The developer's attention is drawn to the various requirements for the control of noise on construction sites laid down in the Control of Pollution Act 1974. In order to ensure that residents are not adversely affected by air pollution and noise, the following guidance should be adhered to, failure to do so could result in formal action being taken under the Control of Pollution Act 1974:

(a) All demolition and construction works and ancillary operations, including deliveries to and despatch from the site shall be confined to the following hours:

Monday to Friday 08.00 to 18.00
Saturday 09.00 to 13.00
Not at all on Sundays and Bank Holidays.

(b) The work shall be carried out in such a manner so as to comply with the general recommendations of British Standards BS 5228: Part 1: 1997, a code of practice for "Noise and Vibration Control on Construction and Open Sites" and in particular Section 10 of Part 1 of the code entitled "Control of noise and vibration".

(c) All plant and machinery to be operated, sited and maintained in order to minimise disturbance. All items of machinery powered by internal combustion engines must be properly silenced and/or fitted with effective and well-maintained mufflers in accordance with manufacturer's instructions.

(d) The best practicable means, as defined by Section 72 of the Control of Pollution Act 1974, shall be employed at all times, in order to minimise noise emissions.

(e) All reasonable measures shall be employed in order to control and minimise dust emissions, including sheeting of vehicles and use of water for dust suppression.

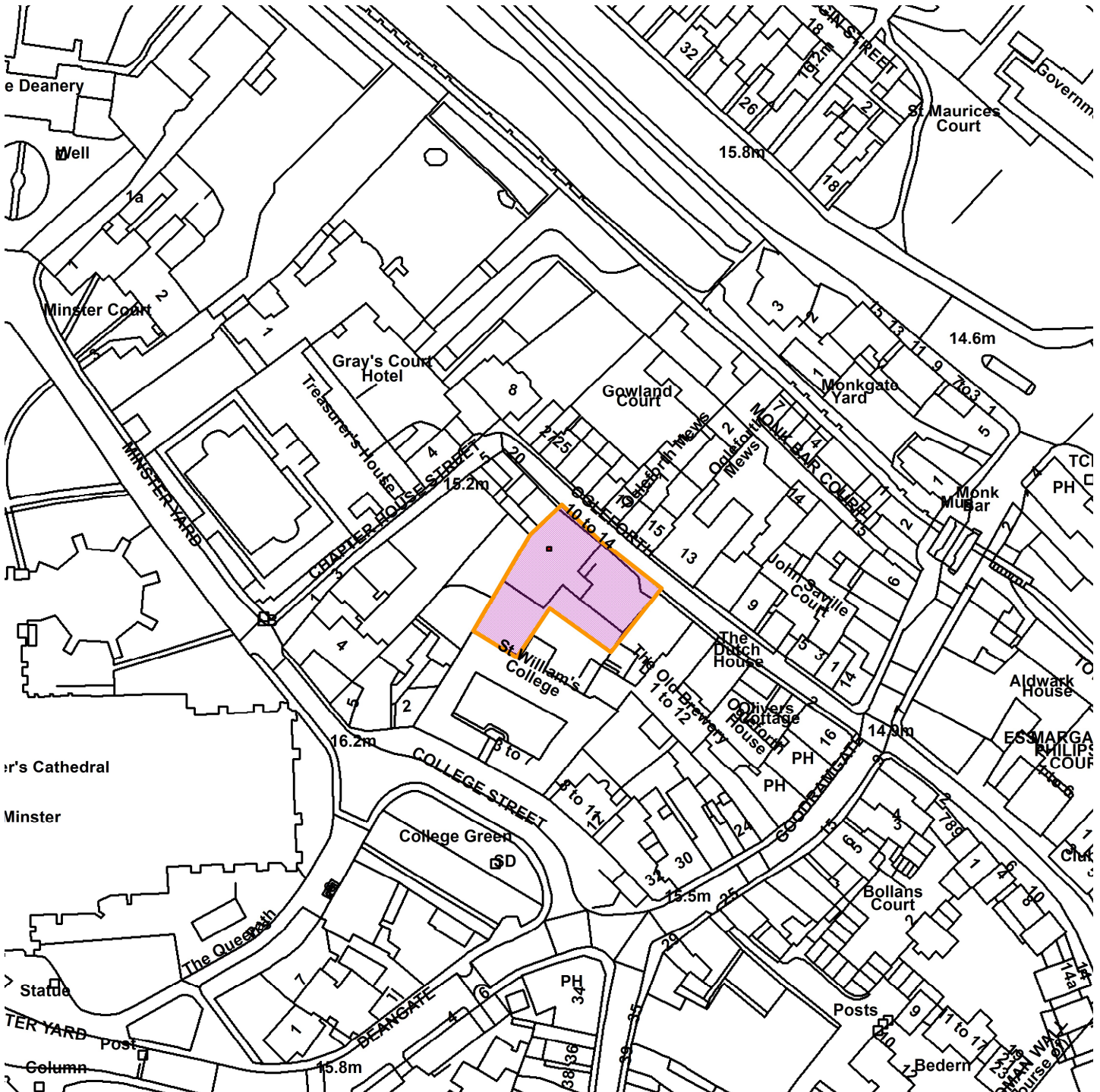
(f) There shall be no bonfires on the site

Contact details:

Case Officer: Sophie Prendergast

Church House, 10 - 14 Ogleforth, York YO1 7JG

21/00601/FULM



Scale : 1:1337

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Organisation	City of York Council
Department	Directorate of Place
Comments	Site Location Plan
Date	11 January 2022
SLA Number	

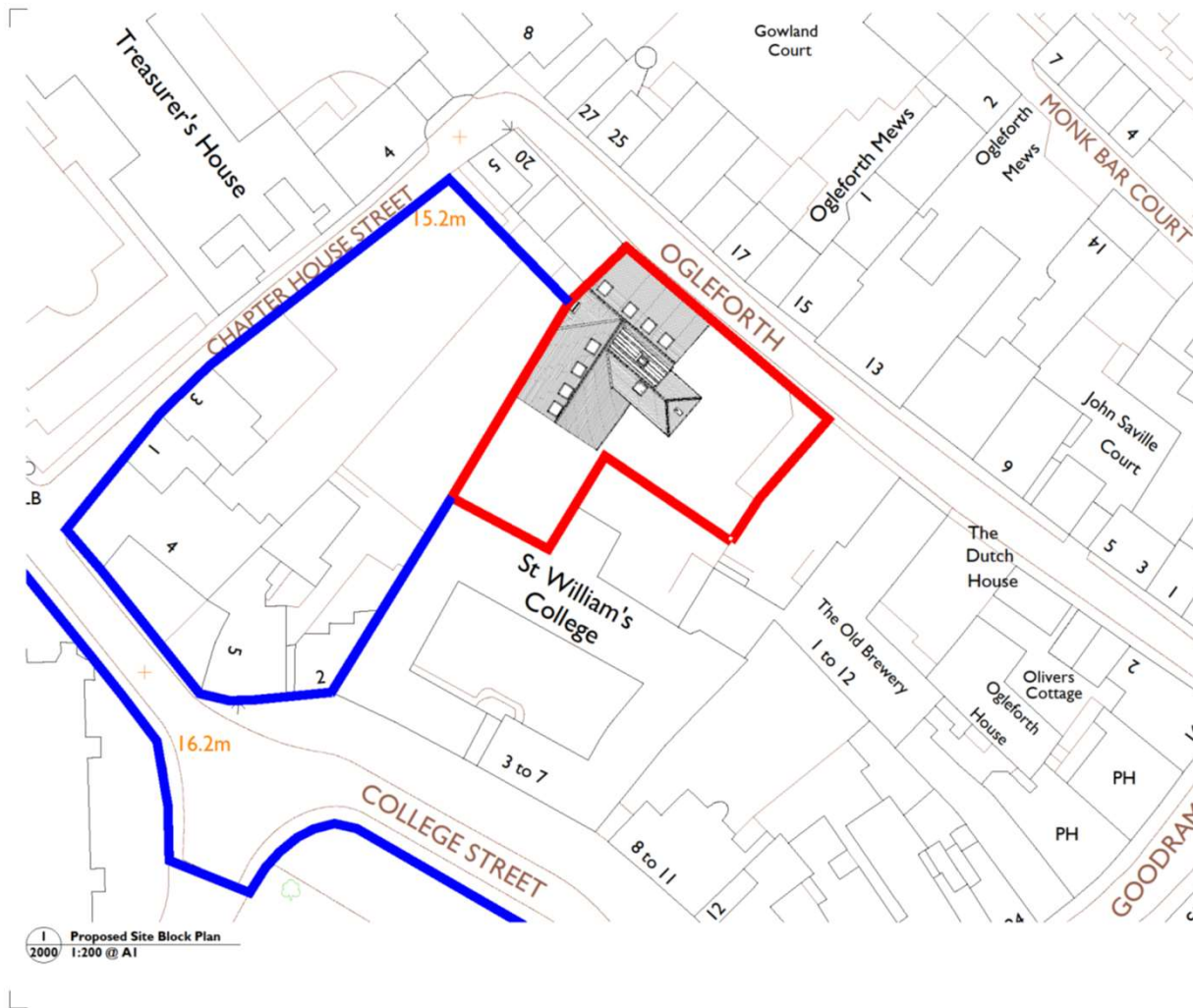
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Area Planning Sub-Committee

21/00601/FULM

Church House 10 - 14 Ogleforth



Notes
 Drawings are based on survey data and may not accurately represent what is physically present.
 Do not rely on this drawing. All dimensions are to be verified on site before proceeding with the work.
 All dimensions are in millimeters unless noted otherwise.
 Purcell shall be notified in writing of any discrepancies.

Key Plan
 not to scale

0 2m 4m 6m 8m 10m 20m

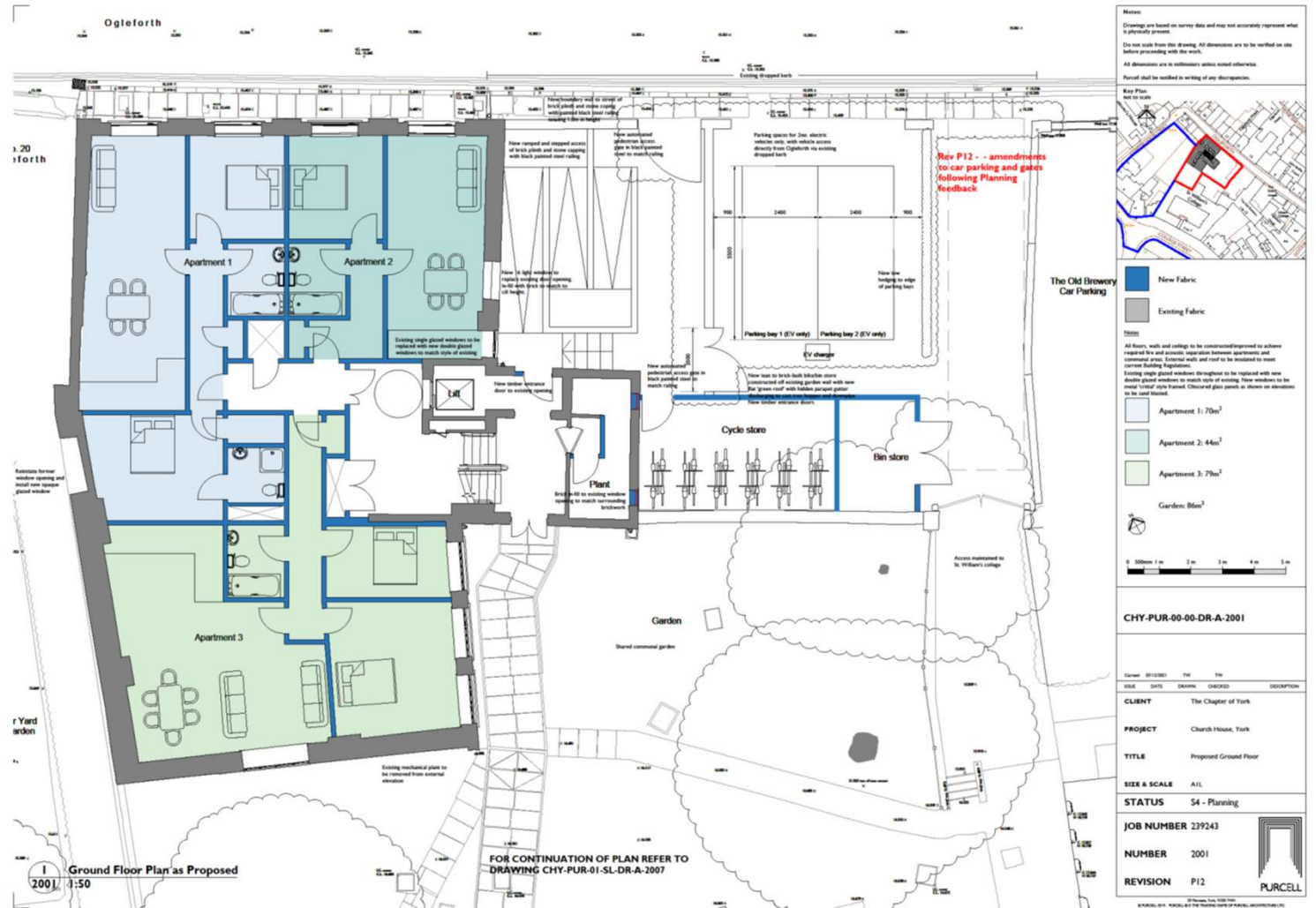
CHY-PUR-00-ZZ-DR-A-2000

DATE	BY	CHKD	DESCRIPTION

CLIENT The Chapter of York
 PROJECT Church House, York
 TITLE Proposed Site Block Plan
 SIZE & SCALE A1
 STATUS S4 - Planning
 JOB NUMBER 239243
 NUMBER 2000
 REVISION P04

PURCELL
 100 North Quay, York, YO1 1PF
 01904 614444 | 01904 614445 | 01904 614446

Proposed ground floor



Proposed first floor



2002 First Floor Plan as Proposed
1:50

Notes:
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 All dimensions are in millimeters unless noted otherwise.
 Purcell shall be notified in writing of any discrepancies.

Key Plan:
 See to scale

Legend:
 ■ New Fabric
 ■ Existing Fabric

Notes:
 All floors, walls and ceilings to be constructed/improved to achieve required fire and acoustic separation between apartments and communal areas. External walls and roof to be insulated to meet current Building Regulations.
 Existing single glazed windows throughout to be replaced with new double glazed windows to match style of existing. New windows to be metal 'curse' style framed. Colour of glass panels to shown on elevations to be used instead.

Area Schedule:
 ■ Apartment 4: 71m²
 ■ Apartment 5: 45m²
 ■ Apartment 6: 83m²

CHY-PUR-00-01-DR-A-2002

DATE	DATE	DRAWN	CHECKED	DESCRIPTION

CLIENT The Chapter of York
PROJECT Church House, York
TITLE Proposed First Floor
SIZE & SCALE A1/L
STATUS 54 - Planning
JOB NUMBER 239243
NUMBER 2002
REVISION P09

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Proposed second floor



2003 Second Floor Plan as Proposed
1:50

Notes:

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All dimensions are in millimeters unless noted otherwise.

Permit shall be notified in writing of any discrepancies.

Key Plan:
see next page

Legend:

- New Fabric
- Existing Fabric

Notes:

All doors, walls and ceilings to be constructed/improved to achieve required fire and acoustic separation between apartments and communal areas. External walls and roof to be insulated to meet current Building Regulations.

Existing single glazed windows throughout to be replaced with new double glazed windows to match style of existing. These windows to be equal U-Value type thermal. Obscured glass panels as shown on elevations to be used instead.

- Apartment 7: 51m²
- Apartment 8: 45m²
- Apartment 9: 107m²

CHY-PUR-00-02-DR-A-2003

Drawn	Checked	OP	OP	DATE

CLIENT: The Chapter of York

PROJECT: Church House, York

TITLE: Proposed Second Floor

SIZE & SCALE: A11

STATUS: 54 - Planning

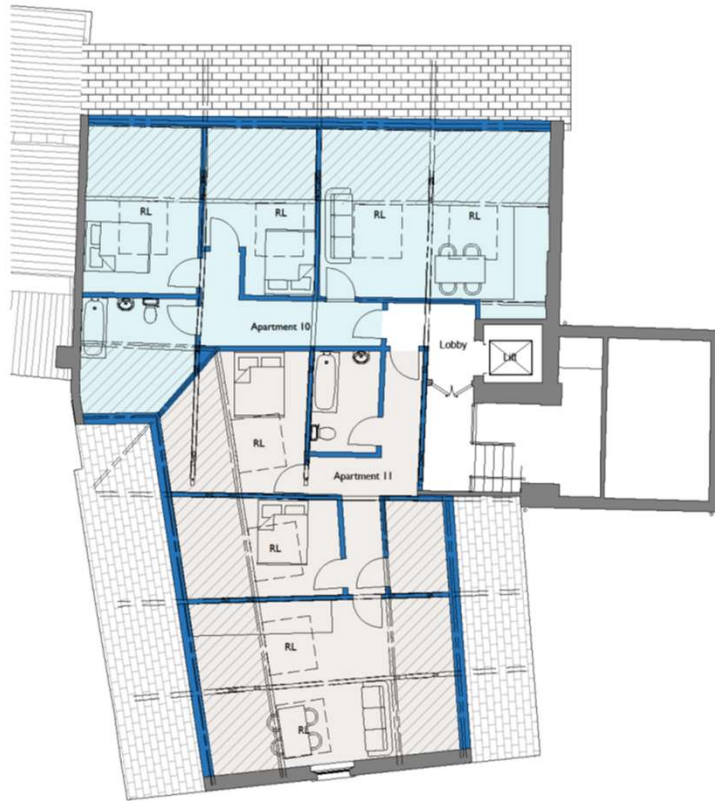
JOB NUMBER: 239243

NUMBER: 2003

REVISION: P09

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Proposed third floor



1
2004 Third Floor Plan as Proposed
1:50

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 All dimensions are in millimeters unless noted otherwise.
 Percent shall be verified in writing in writing of any discrepancies.

Key Plan:
 See to site

Legend:
 ■ New Fabric
 ■ Existing Fabric

Notes:
 All floors, walls and ceilings to be constructed/improved to achieve required fire and acoustic separation between apartments and communal areas. External walls and roof to be insulated to meet current Building Regulations.
 Existing single glazed windows throughout to be replaced with new double glazed windows to match style of existing. New windows to be equal or better than existing. Obscured glass panels to show an alternative to be used instead.

■ Apartment 10: 77m²
 (66m² excluding eaves)
 ■ Apartment 11: 65m²
 (47.5m² excluding eaves)

■ Hatched areas below stairs (1) show further investigation to be carried out to ascertain potential to retain headheight.
 ■ Hatched area denotes space beyond parties with head height less than 2m.

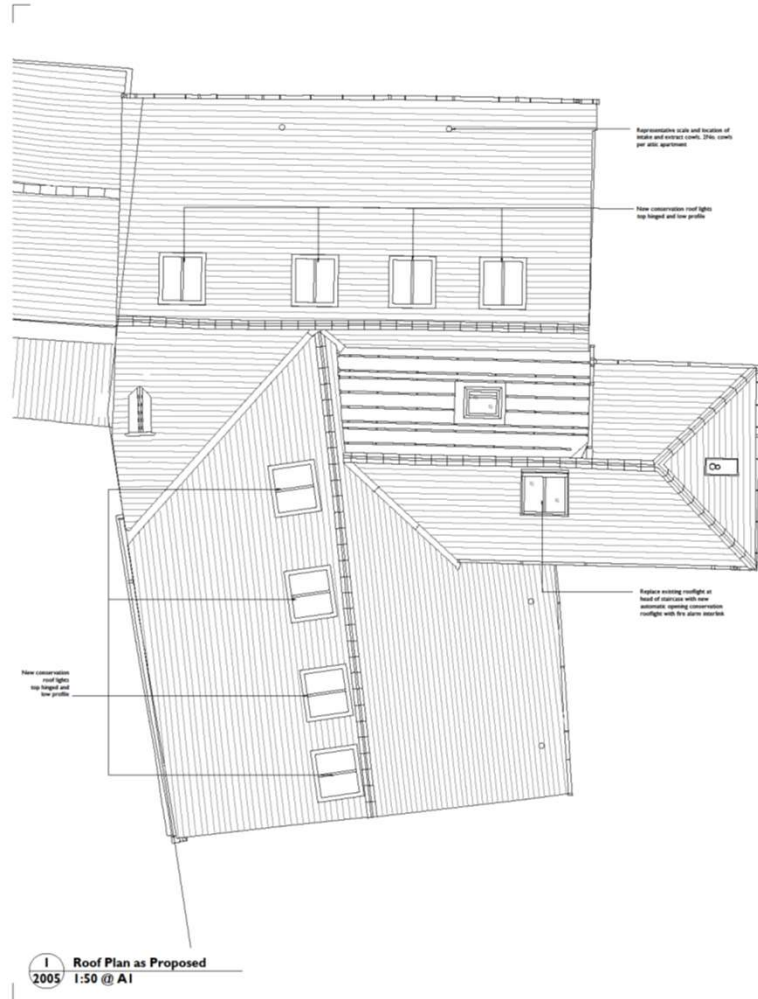
CHY-PUR-00-03-DR-A-2004

DATE	VERSION	BY	DATE	DESCRIPTION

CLIENT The Chapter of York
PROJECT Church House, York
TITLE Proposed Third Floor
SIZE & SCALE A1L
STATUS 54 - Planning
JOB NUMBER 239243
NUMBER 2004
REVISION P10

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Proposed roof plan



Notes:
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Key Plan:
 Not to scale

0 100mm 1 m 2 m 3 m 4 m 5 m

CHY-PUR-00-RF-DR-A-2005

DATE	BY	CHKD	DESCRIPTION

CLIENT The Chapter of York

PROJECT Church House, York

TITLE Proposed Roof Plan

SIZE & SCALE A1

STATUS S4 - Planning

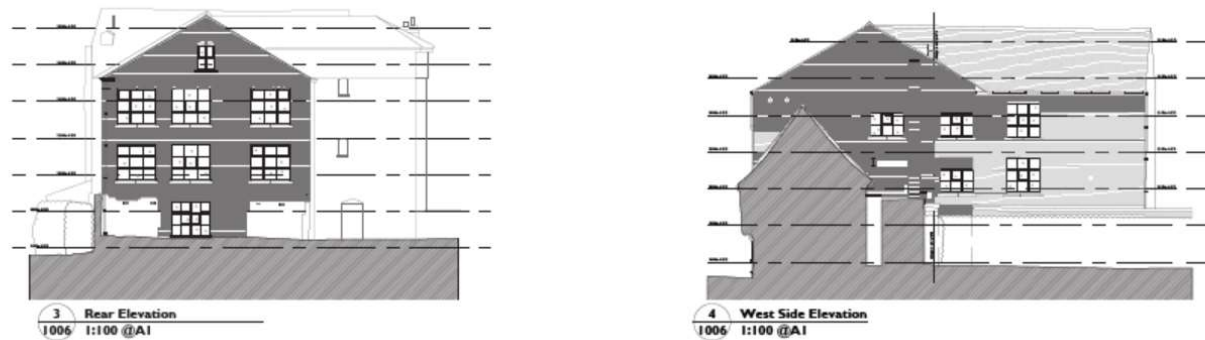
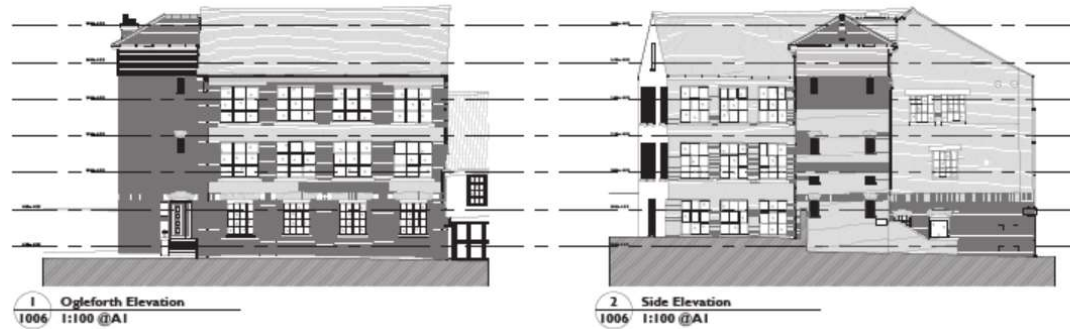
JOB NUMBER 239243

NUMBER 2005

REVISION P06

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Existing elevations



Notes
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 All dimensions are to millimetres unless stated otherwise.
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1m 2m 3m 4m 5m 10m

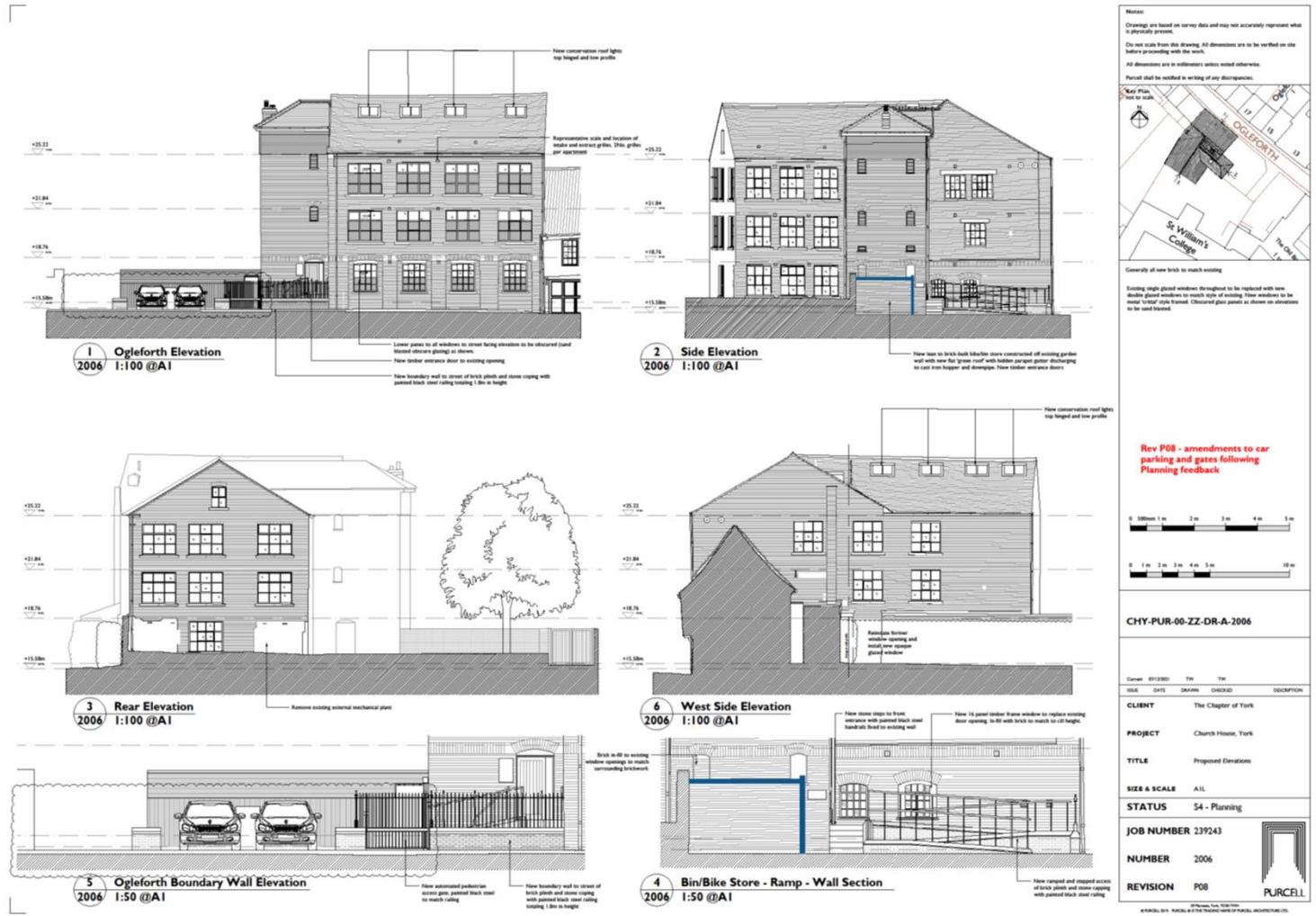
CHY-PUR-00-ZZ-DR-A-1006

Rev	NO	DATE	BY	CHKD	DESCRIPTION
1	0000	01/10/20	GP	GP	ISSUED FOR PERMIT

CLIENT The Chapter of York
PROJECT Church House, York
TITLE Existing Elevations
SIZE & SCALE A1/L
STATUS S4 - Planning
JOB NUMBER 239243
NUMBER 1006
REVISION P02

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 100% of the fee is payable to the client upon completion of the project.

Proposed elevations



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2.2 The Publication Draft Local Plan (2018). Relevant policies are:

DP3	Sustainable Communities
D1	Placemaking
D4	Conservation areas
CC1	Renewable and Low Carbon Energy
CC2	Sustainable Design and Construction of New Development
ENV5	Sustainable Drainage
T1	Sustainable Access

3.0 CONSULTATIONS

INTERNAL

Highway Network Management

3.1 Cannot support provision of two parking spaces without tracking information to show that egress from the house and shared drive can take place in a forward gear. Visibility splays are adequate and should be conditioned. The shared drive is currently gravel without an apron near the footway. This would need to be designed with a 2m apron to prevent gravel being deposited on the adopted highway, which would increase with the additional vehicles. Three cycle spaces are required in order to meet new national guidance.

Public Protection

3.2 We agree with the findings and recommendation of the environmental assessment report; land contamination is unlikely to be present on the site. No objections subject to conditions regarding unexpected contamination and passive provision of recharging facilities for one electric vehicle.

Design, Conservation and Sustainable Development (Conservation)

3.3 No objections.

Flood Risk Management

3.4 On-site infiltration testing demonstrated that the site is not suitable for soakaways as a means of surface water disposal. No objection to the submitted drainage proposals.

EXTERNAL

Copmanthorpe Parish Council

3.5 Copmanthorpe Parish Council – Objection due to: non-compliance with the Copmanthorpe Village Design Statement (VDS), impact on the natural environment, overdevelopment, inappropriate design, insufficient car parking, impact on neighbour amenity, harm to the conservation area and incompatibility with the adjacent Methodist church.

Ouse & Derwent Internal Drainage Board

3.6 If the applicant proposes to use the mains foul/combined sewer within Main Street, then, provided Yorkshire Water are happy with this proposal and are satisfied that the asset has the capacity to accommodate the flow, the Board would have no objection. Planning permission should include a condition requiring drainage details including means of attenuation to be submitted for approval. The Board's consent is required prior to any discharge into any watercourse within the Board's District.

Yorkshire Water

3.7 No comments to make.

4.0 REPRESENTATIONS

NEIGHBOUR NOTIFICATION AND PUBLICITY

4.1 Seven objections have been received raising the following planning issues:

- Over development.
- The building neither preserves nor enhances the conservation area and is inappropriate for it.
- Provides insufficient space between buildings.
- Contravenes the requirement that front gardens should not be dominated by hard landscaping for car parking.
- Incorporates UPVC windows into the design
- The site is long and narrow and is not suitable for a family home.
- The design of the property won't be able to bridge the gap the modern style of the Methodist church and the traditional style of the neighbouring house.
- Loss of privacy to the occupiers of 21 Main Street, the Methodist church and houses to the rear (Deans Court)
- Loss of sunlight/daylight to the occupiers of 21 Main Street, the Methodist church and houses to the rear (Deans Court)
- Overbearing impact on the occupiers of Deans Court
- The development fails to comply with the Village Design Statement
- Insufficient car parking.
- Inadequate vehicular access.

- Will exacerbate parking problems.
- The additional vehicles would be make the adjacent road junction more hazardous than it is already.
- Removal of the front hedge would give a different aspect to the proposed development.
- The proposal would result in the loss of green open space.
- The land should be redeveloped as an attractive green space.
- Inadequate access to the rear for emergency services and for refuse/recycling.
- The specified eaves heights are not achievable.
- The development should require a construction method statement.
- The plans do not show the proposed drainage.
- The plans should show the position of waste storage and collection.

Trustees of Copmanthorpe Methodist Church

4.2 Object on the following grounds:

- Overbearing impact on the church as a place of worship, a venue and a community
- The nature and size of the house are inappropriate, intrusive and out of character in the conservation area.
- Loss of sunlight/daylight to the side access, side garden and interior of the church.
- The potential loss of side paved area as a secure play area (weather permitting) for pre-school children.
- Noise nuisance and disturbance to the occupiers of the house due to the activities at the church may cause complaint and endanger a particular use to the detriment of the Church and participants of the user groups.
- Contrary to the VDS
- Insufficient off-street parking.

5.0 APPRAISAL

5.1 MAIN ISSUES

- Principle of use for housing
- Design and impact on the conservation area
- Landscape and bio-diversity
- Highway considerations
- Flood risk and drainage
- Neighbour and occupier amenity
- Impact on the Methodist church

- Climate change

PUBLICATION DRAFT YORK LOCAL PLAN (2018)

5.2 The Publication Draft Local Plan 2018 (the 'emerging 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 emerging policies can be afforded weight according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the previous NPPF published in March 2012.

DEVELOPMENT CONTROL LOCAL PLAN (2005)

5.3 The Development Control Local Plan Incorporating the Fourth Set of Changes (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 in the determination of planning applications. Where policies relevant to the application are consistent with those in the NPPF (as revised in February 2019), the weight that can be afforded to them is very limited.

5.4 Copmanthorpe Village Design Statement (VDS) was approved by the council in November 2002. It aims to guide and influence the design of development in a way that preserves and enhances the character and distinctiveness of Copmanthorpe.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

5.5 The revised National Planning Policy Framework was published 2021 and its planning policies are a material consideration in the determination of planning applications. The presumption in favour of sustainable development set out at paragraph 11 of the NPPF does not apply where the application of policies relating to impacts on the heritage assets indicate that permission should be refused.

PRINCIPLE OF USE FOR HOUSING

5.6 Paragraph 69 of the NPPF advises that small sites can make an important contribution to meeting the housing requirements of an area and supports the development of windfall sites within existing settlements for homes.

5.7 The site is in a sustainable location within the settlement limit of Copmanthorpe and with good access to shops and public services. The proposal would contribute to the provision of much-needed housing. The principle of use for housing is acceptable.

DESIGN AND IMPACT ON THE CONSERVATION AREA

5.8 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a general duty on local planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

5.9 In the NPPF conservation areas are classed as designated heritage assets. 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 (paragraph 199). Any harm or loss should require clear and convincing justification (paragraph 200).

5.10 Policy D4 (Conservation Areas) of the emerging plan states that development proposals within or affecting a conservation area will be supported where, among other things, they would preserve or enhance the special character and appearance of the conservation area.

5.11 Section 12 of the NPPF requires good design. Paragraph 134 states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design. Policy D1 (Placemaking) of the emerging plan states that development proposals that fail to make a positive design contribution to the city or cause damage to the character and quality of an area will be refused.

5.12 The guidance in the VDS seeks to retain the rural character of the village. This includes retaining hedges, setting houses well back from the road and retaining/creating open spaces. As a general principle all new developments should be of imaginative design that enhances local distinctiveness. Innovative modern design is encouraged where it confirms to this general principle. Developments in the conservation area should respect its historic buildings and their settings.

5.13 The building would occupy a narrow, constrained site in a prominent location in Copmanthorpe Conservation Area. The conservation area character statement describes the area as comprising the historic core of the village, and the linear street pattern as being important. Characteristically Main Street is lined by mostly 2-storey

detached houses and cottages. They are sited close together in the traditionally narrow fronted plots of land. Some have been infilled by later Victorian detached or semi-detached cottages which maintain the rhythm. The street is quite narrow, houses traditionally being close to the frontage with small front gardens and front walls or hedges that maintain the setting and sense of scale of the houses.

5.14 The site is easily visible from Main Street. Principal external materials would comprise brick for the walls, reconstituted slate for the roof and stone for the heads and cills. Doors and windows would be of timber. The church to the north of the site is of modern design and the pair of houses to the south appear to be late Victorian. The buildings opposite the site and to the rear are modern residential. There is no predominant building style in the immediate vicinity of the site. There are no listed buildings within 100m. The proposed building is small, commensurate with the scale of the plot. Its design would contrast with the contemporary style of the church to the north and the much older pair of houses to the south. The building would have a simple, traditional appearance, standing as a freestanding element in the street scene. It would be set well back from the public footway in front of the site and slightly behind the existing building line of the adjacent house to the south and the Methodist church to the north. Although the building would occupy most of the width of the site it would not appear cramped due to the shared drive to the south and the set back of the church's side extension to the north. The existing front boundary hedge would be retained or replaced, maintaining the enclosure to the street. It is considered that the modest scale of the building and its traditional appearance would not harm the character and appearance of the conservation area or the street scene in general.

LANDSCAPE AND BIO-DIVERSITY

5.15 The site has an unkempt, semi-natural appearance with hedges along boundaries, some apparently self-seeded trees and unmanaged undergrowth. It provides some greening of the village but has little visual value except as a break from the surrounding development. The landscape has potential as a wildlife corridor but it is not protected and does not have any designated status. There is no evidence of protected species. Opportunities for new tree planting are very limited due to the small size of the site but the hedge along the highway frontage would be retained or replaced. The reduction in the proposed number of parking spaces (from two to one) provides the opportunity to increase the amount of planting along the front boundary. Limited planting would be provided along the other boundaries where possible. Details of boundary treatment should be submitted as a condition of approval.

HIGHWAY CONSIDERATIONS

5.16 Policy 103 of the NPPF states that the planning system should actively manage patterns of growth in support of its sustainable transport objectives and that

development proposals should, among other things, promote walking, cycling and public transport.

5.17 Vehicular and pedestrian access into the site would be from the existing private drive serving No.21 Main Street. Parking for one car would be provided in front of the new house. Manoeuvring space would enable cars to leave the site in forward gear. The application as initially submitted proposed two parking spaces but this has since been reduced to one space due to site constraints. Provision of one space as proposed complies with the council's parking standards. Visibility splays for vehicles are acceptable. The Pedestrian access to the rear of the site would be provided via the shared drive for bin collection, cycle storage and access to the rear garden. Three cycle spaces would be provided in a secure/lockable timber shed on a concrete base with a steel anchor bolt or hoop. Details should be submitted as a condition of approval.

5.18 The VDS states that all development must give very careful thought to the impact of increased traffic into Copmanthorpe. The additional traffic movements likely to result from the addition of one house would have no material impact on traffic levels in the area.

FLOOD RISK AND DRAINAGE

5.19 The NPPF requires that suitable drainage strategies are developed for sites so that there is no increase in flood risk elsewhere. Policy ENV5 (Sustainable Drainage) advises that discharge from new developments should not exceed the capacity of receptors and water run-off should, in relation to existing runoff rates, be reduced. The site is in low risk flood zone 1 and is unlikely to suffer from river flooding. Soakaways have been shown to be ineffective. Revised drainage proposals have since been submitted showing surface water stored on site prior to discharge at 0.5l/sec into a combined sewer in Main Street. The drainage details are acceptable and should be secured by planning conditions.

NEIGHBOUR AND OCCUPIER AMENITY

5.20 Policy D1 (Placemaking) of the emerging plan states that design should consider residential amenity so that residents living nearby are not unduly affected by noise, disturbance, overlooking or overshadowing.

5.21 The dwelling would be about 4.1m from the long side elevation of the adjacent house at No.21 Main Street. The two buildings would be separated by the vehicular/pedestrian access to No.21. Some windows of the proposed house would face No.21, which would have the potential to cause some overlooking of both properties. The windows to all of these windows would be obscure-glazed, thereby preventing overlooking. This should be made a condition of approval. The long side elevation facing the church would have no windows.

5.22 The dwelling would have seven rooflights - four facing No. 21 and three facing the church. The lowest part of the rooflights would be 1700mm from first floor level, thereby preventing any meaningful overlooking. The rooflights would be for light and ventilation only.

5.23 The proposed house would be about 11m from the rear boundary fence and 23m from the rear elevation of the nearest house in Deacons Court. These distances would be sufficient to prevent any significant overlooking or overbearing impact.

5.24 The absence of windows on the northern elevation is likely to prevent any significant noise nuisance that might otherwise be caused by activities at the church.

5.25 Hours of construction should be made a condition of approval due to the proximity of neighbouring occupiers.

IMPACT ON THE METHODIST CHURCH

5.26 Access to the church is from Main Street. The church has two entrances, one at the western end of the building and one on the southern side. The southern entrance is approached via a patio alongside a garden/border of shrubs. The entrance is separated from the application site by the planting backed by a 2m-high close-boarded fence. The eaves height of the building would be about 4m above the patio at the approach to the southern entrance. From this southern approach the new house would be easily visible above the existing 2m-high fence and would be likely to cause some loss of direct sunlight, particularly during the cooler months. Nevertheless, any impact on worshippers would generally be fleeting as they approach the southern entrance. Benches outside the entrance suggest that the patio is also used for sitting or congregating. Nevertheless, any loss of amenity due to the loss of direct sunlight and the visual impact of the building is likely to be of short duration.

CLIMATE CHANGE

5.27 Paragraph 148 of the NPPF states that the planning system should support the transition to a low carbon future and, among other things, support renewable and low carbon energy.

5.28 Policy CC1 of the emerging plan states that new buildings must achieve a reasonable reduction in carbon emissions of at least 28% unless it can be demonstrated that this is not viable. This should be achieved through the provision of renewable and low carbon technologies in the locality of the development or through energy efficiency measures. Policy CC2 of the emerging plan states that all new residential dwellings should achieve at least a 19% reduction in dwelling

emission rate (calculated as per Part L1A of the Building Regulations 2013); and a water consumption rate of 110 litres per person per day (calculated as per part G of the Building Regulations). Policy CC1 (Renewable and Low Carbon Energy) of the emerging plan requires new buildings to achieve a reasonable reduction in carbon emissions of at least 28% unless it can be demonstrated that it is not viable. Policy CC2 (Sustainable Design and Construction) states that development proposals will be required to demonstrate energy and carbon dioxide savings in accordance with water efficiency and the energy hierarchy. These requirements should be made a condition of approval.

5.29 Provision of recharging facilities for one electric vehicle should be made a condition of approval.

6.0 CONCLUSION

6.1 The site is in a sustainable location. The proposal is of appropriate scale, form and materials for the site and would preserve the character and appearance of the conservation area. It is acceptable in terms of the amenity of adjacent occupiers, highway safety, flood risk, biodiversity and climate change. The application complies with national planning policy in NPPF and relevant policies of the emerging plan.

7.0 RECOMMENDATION:

That the Area Planning Sub-Committee recommend to the Chief Operating Officer that the application be APPROVED subject to the following conditions:

1 TIME2 Development start within three years

2 The development hereby permitted shall be carried out in accordance with the following approved plans:

1608-100A - Location Plan

1608-104D - Proposed Site Plan & ABC Section

1608-105D - Proposed Section DEF

1608-106B - Proposed Plans & Elevations

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the local planning authority.

3 Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, samples of the external materials to be used shall be submitted to the Local Planning Authority for approval prior to the commencement of the construction of the house above foundation level.

The development shall be carried out using the approved materials.

Note: Because of limited storage space at our offices it would be appreciated if sample materials could be made available for inspection at the site. Please make it clear in your approval of details application when the materials will be available for inspection and where they are located.

Reason: In the interests of the character and appearance of the conservation area.

4 Within one month of commencement of development details of refuse and recycling storage shall be submitted to the Local Planning Authority for approval in writing. The building shall not be occupied until the refuse and recycling facilities have been provided within the site in accordance with such approved details and shall be so retained thereafter.

Reason: In the interests of sustainability and the character and appearance of the area.

5 Within one month of commencement of development details of cycle parking for three cycles, including means of enclosure, shall be submitted to the Local Planning Authority for approval in writing. The building shall not be occupied until the cycle parking facilities have been provided within the site in accordance with such approved details, and these areas shall not be used for any purpose other than the parking of cycles.

Reason: To promote use of cycles thereby reducing congestion on the adjacent roads and in the interests of the amenity of neighbours.

6 Notwithstanding the approved plans, within one month of commencement of development details of the proposed parking area (including plans, elevations levels and sections as appropriate), including landscaping and means of enclosure to the site boundaries, shall be submitted to the local planning authority for approval in writing and shall be provided in accordance with the approved details before the development is occupied.

Reason: In the interests of the visual amenities of the area and the amenities of neighbouring properties.

7 Notwithstanding the notation on the approved drawing, the hedge to the full width of the new plot frontage as shown on drawing no. 104 revision D shall be retained to a height of no less than 1m above existing footway level except where shown on the approved drawing as pedestrian visibility where its height shall be no more than 0.6m above the adjacent footway. Should the hedge die or be damaged or otherwise be removed a replacement hedge of the same species and density

shall be planted within the next planting season, any replacement hedge shall thereafter be retained to the full width of the new plot frontage as shown on drawing no. 104 revision D to a height of no less than 1m above existing footway level except where shown on the approved drawing as pedestrian visibility where its height shall be no more than 0.6m above the adjacent footway.

Reason: In the interests of the character and appearance of the conservation area and pedestrian safety.

8 Prior to the development coming into use, the initial 2m of the vehicular access, measured from the back of the public highway, shall be surfaced, sealed and positively drained within the site. Elsewhere within the site all areas used by vehicles shall be surfaced and drained, in accordance with the approved plans.

Reason: To prevent the egress of water and loose material onto the public highway.

9 The development shall incorporate sufficient capacity within the electricity distribution board for one dedicated radial AC single phase connection to allow the future addition of an Electric Vehicle Recharge Point (minimum 32A) within the parking area if desired. The applicant should identify the proposed location for a future Electric Vehicle Recharge Point within the development curtilage and ensure that any necessary trunking/ducting is in place to enable cables to be run to the specified location.

Reason: To ensure future electric vehicle charge points can be easily added to the property in line with the NPPF and CYC's Low Emission Strategy.

10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order), no window, rooflight or other opening (other than those hereby approved) shall at any time be inserted in the southern elevation or southern roof plane of the dwelling hereby approved unless the window, rooflight or other opening is more than 1.7 metres above the floor of the room in which the window is installed.

Reason: In the interests of the amenities of the occupiers of the adjacent dwelling at No.21 Main Street.

11 All windows and rooflights facing No.21 Main Street shall be (i) obscure-glazed and (ii) non-opening unless the parts of the window that can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The windows and rooflights shall remain obscure-glazed in perpetuity.

Reason: In the interests of the amenities of occupiers of No.21 Main Street.

12 All windows, rooflights and external doors shall be made of timber.

Reason: In the interests of the character and appearance of the conservation area.

13 The dwelling hereby approved shall achieve the following measures:

- At least a 19% reduction in Dwelling Emission Rate compared to the target fabric energy efficiency rates as required under Part L1A of the Building Regulations 2013).
- A water consumption rate of 110 litres per person per day (calculated as per Part G of the Building Regulations).
- A reduction in carbon emissions of at least 28% compared to the target emission rate as required under Part L of the Building Regulations.

Prior to first occupation of the dwelling details of the measures undertaken to secure compliance with this condition shall be submitted to and approved in writing by the local planning authority. The development shall not be occupied except in accordance with the approved details.

Reason: In the interests of sustainable design and in accordance with policies CC1 and CC2 of the Publication Draft Local Plan 2018.

14 In the event that unexpected contamination is found at any time when carrying out the approved development, it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall be undertaken and where remediation is necessary a remediation scheme shall be prepared and shall be subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report shall be prepared, which shall be subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors.

15 All construction works and ancillary operations, including deliveries to and dispatch from the site shall be confined to the following hours:

Monday to Friday 0800 to 1800 hours
Saturday 0900 to 1300 hours
Not at all on Sundays and Bank Holidays

Reason: To protect the amenity of the locality

16 The site shall be developed with separate systems of foul and surface water drainage on site and a combined system of foul and surface water drainage off site.

Reason: In the interest of satisfactory and sustainable drainage.

17 The development shall be carried out in accordance with the drainage details shown on the submitted External Works General Arrangement - Re: 7992/020 Revision P2 and the Private Drainage Details - Re: 7992/022 Revision P2, both dated 8th November 2021, unless otherwise previously agreed in writing with the Local Planning Authority.

Reason: In the interest of satisfactory and sustainable drainage

18 Unless otherwise approved in writing by the local planning authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

Reason: So that the Local Planning Authority may be satisfied that no foul and surface water discharges take place until proper provision has been made for their disposal.

8.0 INFORMATIVES: Notes to Applicant

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

In considering the application, the local planning authority has implemented the requirements set out within the National Planning Policy Framework (paragraph 38) and, in seeking solutions to problems identified during the processing of the application, the local planning authority negotiated with the developer to reduce the impact on neighbouring occupiers and to ensure the proper drainage of the site.

2. VEHICLE RECHARGING

Any future Electric Vehicle Charging Points need to be professionally installed. The installation process routinely involves wall mounting a charge point on an exterior wall or garage and connecting it safely to the mains electricity supply. All electrical circuits/installations shall comply with the electrical requirements in force at the time of installation

In the UK, there is a government-grant scheme available to help reduce the cost of installing a home EV charge point. For more information on the scheme see the OLEV website <https://www.gov.uk/government/collections/government-grants-for->

lowemission-vehicles.

The above requirement does not preclude the installation of Electric Vehicle Charge Point from the outset, if desired.

Details of passive provision to be included within household pack for first occupant, to include location of proposed Electric Vehicle Recharge Point, trunking/ducting provided and details of distribution board location and capacity.

3. FOUL AND SURFACE WATER DRAINAGE

i) The public sewer network does not have capacity to accept an unrestricted discharge of surface water. Surface water discharge to the existing public sewer network must only be as a last resort. The developer is required to eliminate other means of surface water disposal.

ii) The applicant is advised that Yorkshire Water's prior consent is required to make a foul and surface water connection to the public sewer network.

Contact details:

Case Officer: Kevin O'Connell

Tel No: 01904 552830

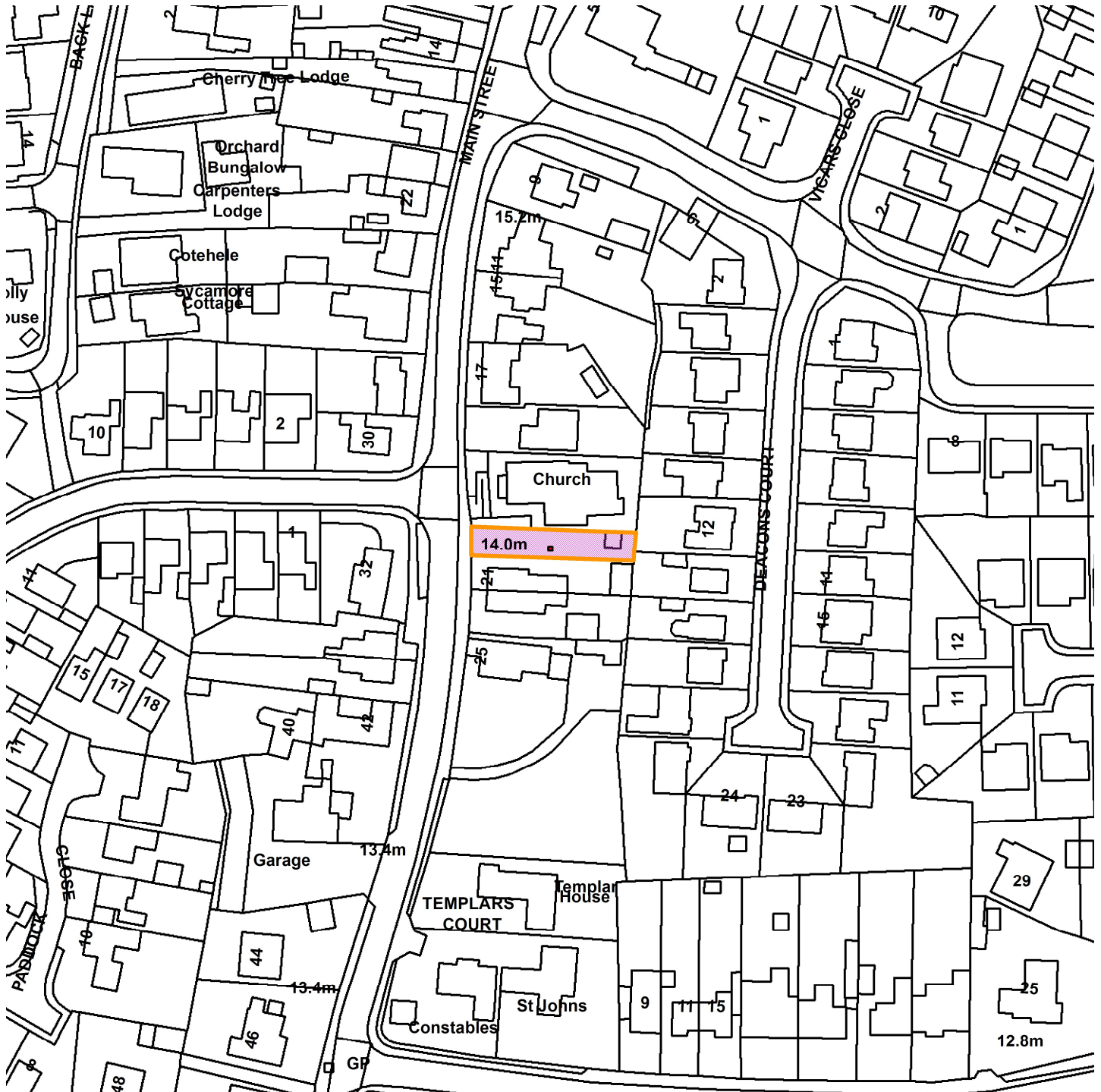
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Land To The North Of 21 Main Street, Copmanthorpe

20/02043/FUL



GIS by ESRI (UK)



Scale : 1:1337

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Produced using ESRI (UK)'s MapExplorer 2.0 - <http://www.esriuk.com>

Organisation	City of York Council
Department	Directorate of Place
Comments	Site Location Plan
Date	11 January 2022
SLA Number	

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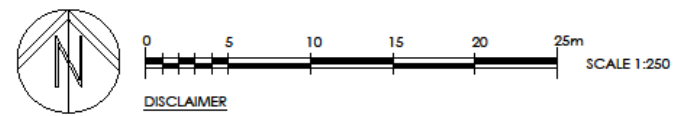
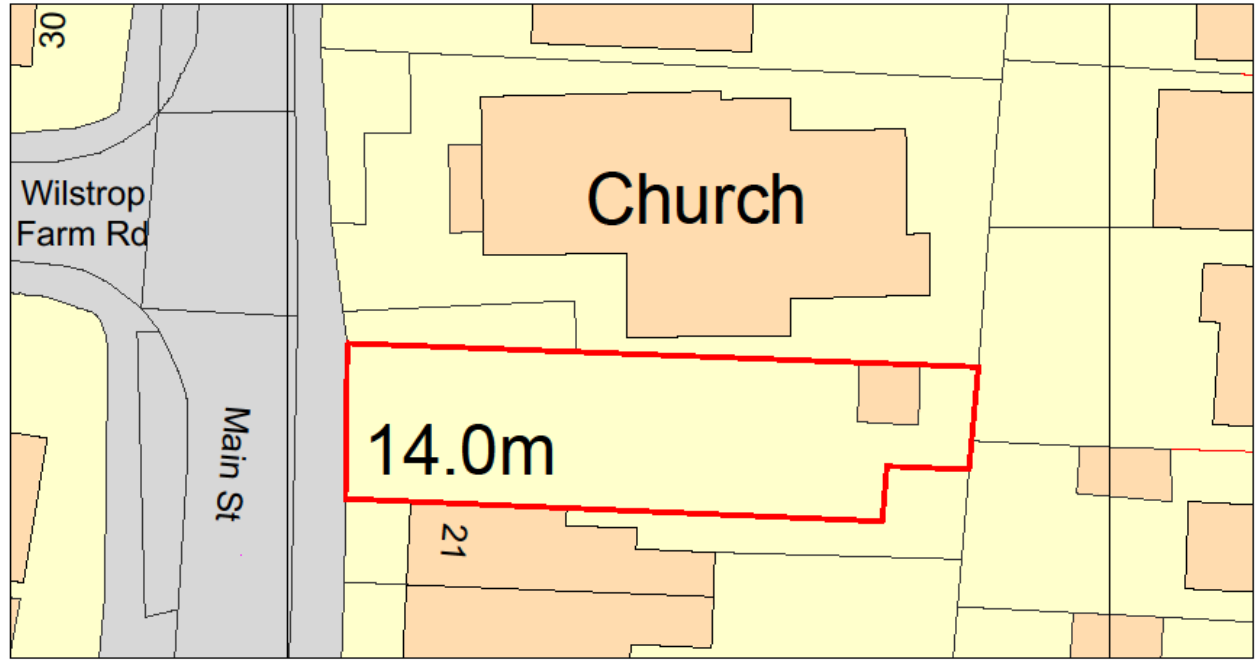
Area Planning Sub-Committee

20/02043/FUL

Land To The North Of 21 Main Street Copmanthorpe

MAIN STREET, COPMANTHORPE

NOTES
 ALL WORK TO BE CARRIED OUT IN ACCORDANCE WITH THE BUILDING REGULATIONS AND THE REQUIREMENTS OF THE LOCAL AUTHORITY.



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A INCLUDED THE SHARED VEHICULAR ACCESS IN CL. JC. 20.10.20
 INFO: THE 200 RED LINE BOUNDARY

REV.	DESCRIPTION	DATE
1		

LOGIC ARCHITECTS

20 PARK SQUARE WEST, LONDON, EC2A 4EB
 020 7324 2278
 www.logic.co.uk

30 FLOORS, 30-31 FILL STREET, LONDON, EC2A 4EB
 020 7324 2278
 www.logic.co.uk

CDM PROPERTIES

PROJECT: MAIN STREET, COPMANTHORPE

TITLE: LOCATION PLAN

DRAWING NO:	1608-100	REVISION:	A
SCALE:	1:250	DATE:	25.03.20
DRAWN BY:	CG	CHECKED BY:	

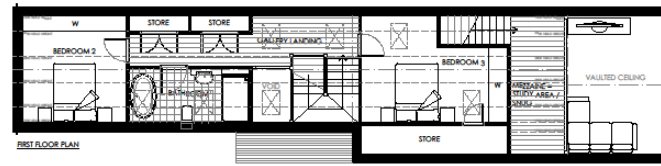
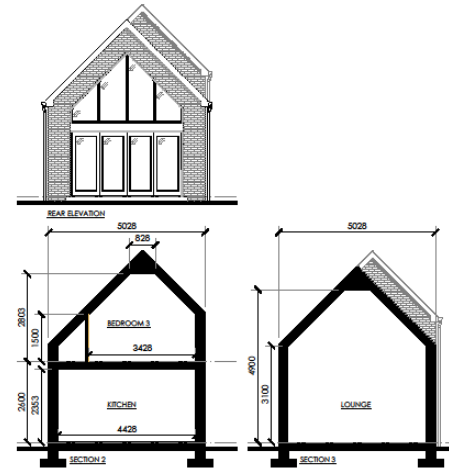
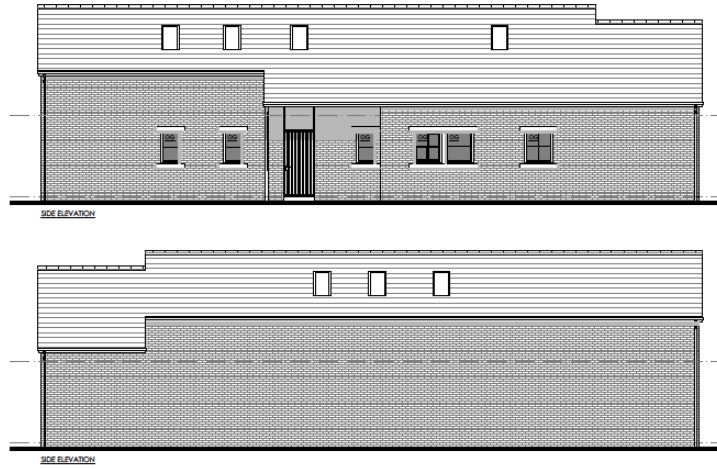
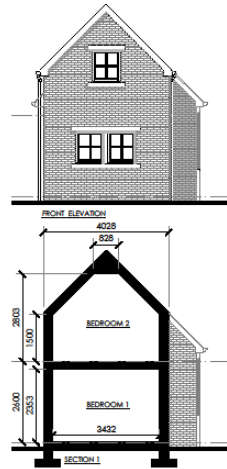
PURPOSE OF ISSUE

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<input type="checkbox"/> COMMENT	<input type="checkbox"/> INFORMATION	<input type="checkbox"/> CONSTRUCTION

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MAIN STREET, COPMANTHORPE

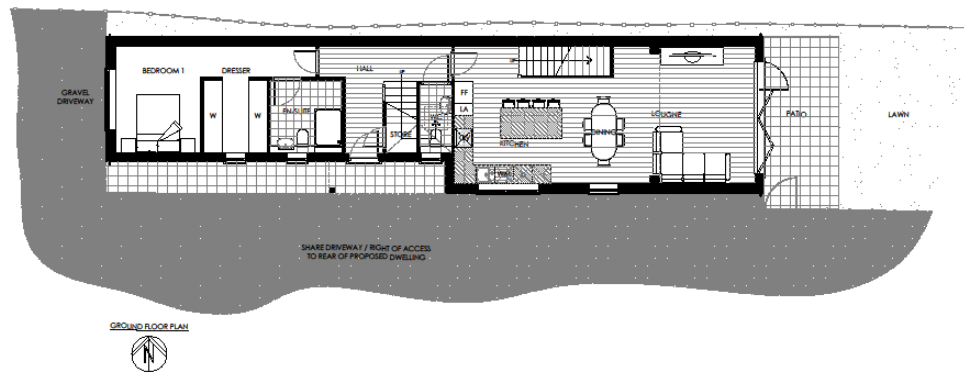
NOTES
ALL WORK TO BE CARRIED OUT IN ACCORDANCE WITH THE BUILDING REGULATIONS AND THE REQUIREMENTS OF THE LOCAL AUTHORITY.



0 5 10m SCALE 1:100

FLOOR AREAS
GROUND FLOOR - 79.80M² / 856FT²
FIRST FLOOR - 61.62M² / 666FT²
TOTAL FLOOR AREA - 141.42M² / 1522FT²

SCHEDULE OF MATERIALS
WALLS - BRICK
ROOF - GREY BECON SLATE WITH GREY SOFFITS AND EWS
WINDOWS - DOUBLE GLAZED WITH STONE HEADS & CELLS

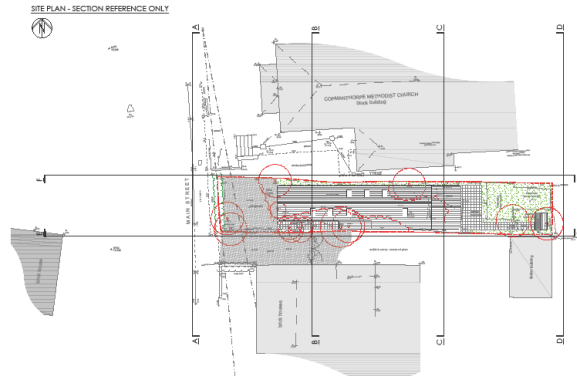
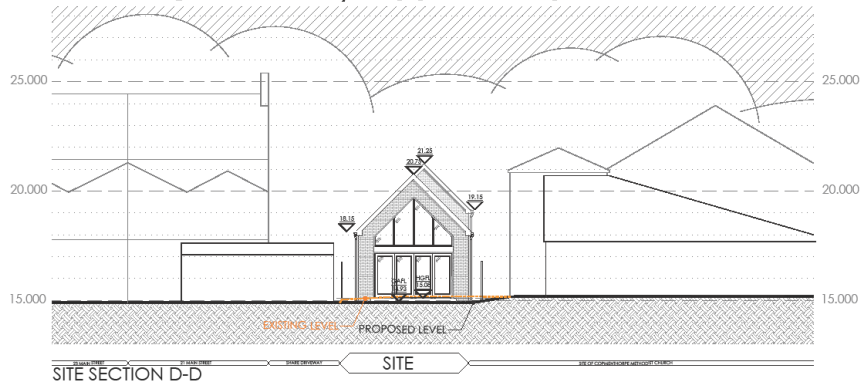


IF ALL WINDOWS TO THE HOBBSEYER ELEVATION JC - 09.08.21
FACING NO. 11 TO BE REGISTERED GLAZED
A DRAINAGE ACCESS BC JC 11.08.21

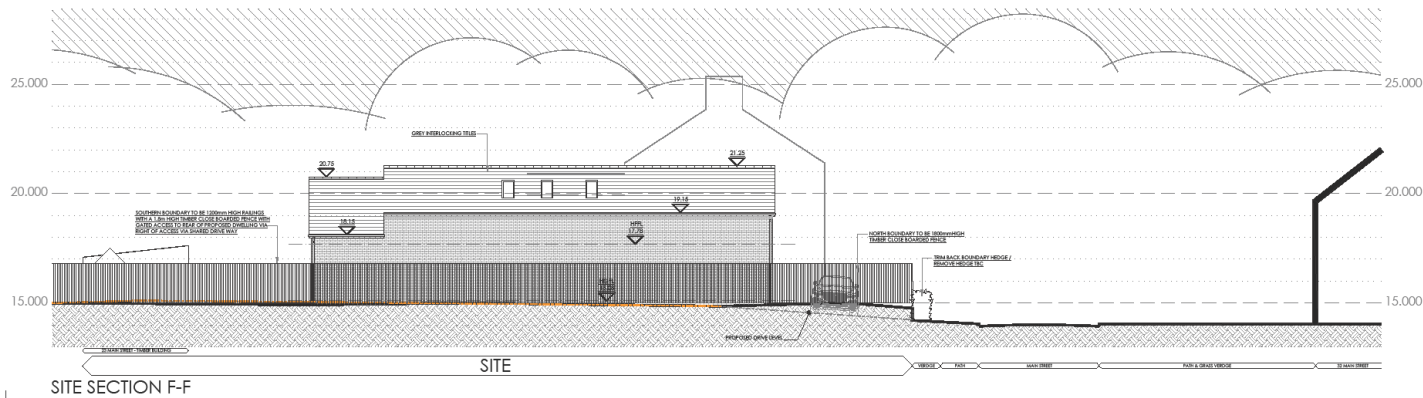
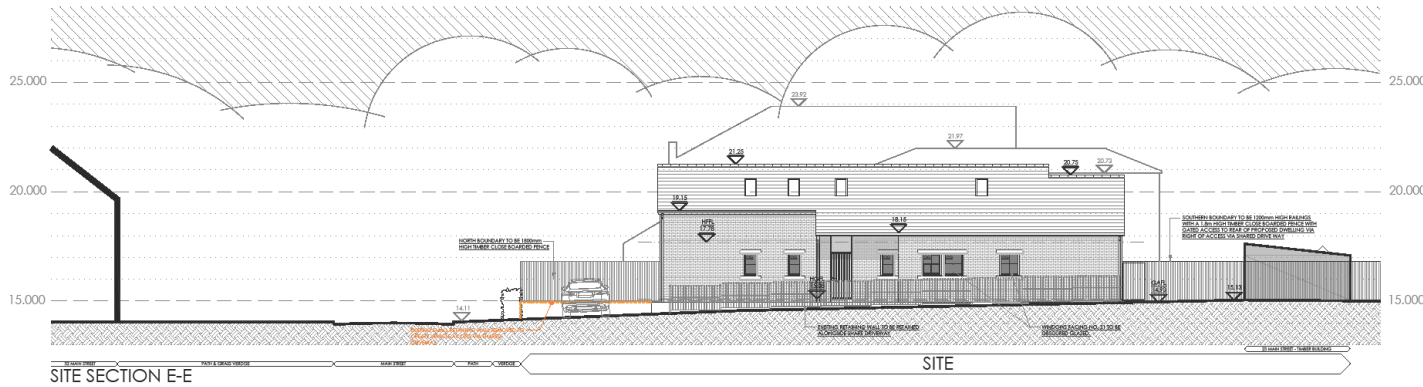
REV DESCRIPTION BY DATE
1
2

LOFOO ARCHITECTS
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MAIN STREET, COPMANTHORPE



NOTES
ALL WORK TO BE CARRIED OUT IN ACCORDANCE WITH THE BUILDING REGULATIONS AND THE REQUIREMENTS OF THE LOCAL AUTHORITY.



REV	DESCRIPTION	BY	DATE
D	AMENDED NORTH BOUNDARY TREATMENT	BC	11.01.22
C	GRADE LEVELS ADDED	JC	10.11.21
B	ALL WINDOWS TO THE HOUSE SIDE SURROUND ON SECTION E MADE OBSCURED GLAZED	JC	20.02.21
A	ADDED GARDEN BED	BC	11.02.21

LODOC ARCHITECTS
25A PARK SQUARE WEST, 2ND FLOOR, 84, REEFALL STREET, LONDON, SE16 7HE
T 0113 285 7755 E 0203 874 8333
WWW.LODOC.CO.UK

CLIENT	CDM PROPERTIES
PROJECT	MAIN STREET, COPMANTHORPE
TITLE	PROPOSED SECTION D, E & F
DRAWING NO.	1-025-1025
SCALE	1:1000 @ A1
DRAWN BY	BC
CHECKED BY	-
DATE	25.03.20

PURPOSE OF ISSUE

- PLANNING
- BUILDING REGS
- THICK
- COMMIT
- INFORMATION
- CONSTRUCTION

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