



Notice of meeting of

Planning Committee

To: Councillors R Watson (Chair), Ayre, D'Agorne, Firth, Funnell, Horton, Hudson, Hyman, Moore, Morley, Pierce, Potter (Vice-Chair), Reid, Simpson-Laing, B Watson and Wiseman

Date: Thursday, 24 June 2010

Time: 4.30 pm

Venue: The Guildhall, York

The site visits for this meeting will commence at 12.30pm on Wednesday 23 June 2010 meeting at the War Memorial adjacent to the West Offices site

AGENDA

1. **Declarations of Interest**

At this point, members are asked to declare any personal or prejudicial interests they may have in the business on this agenda.

2. **Minutes** (Pages 5 - 20)

To approve and sign the minutes of meetings of the Planning Committee held on 29 April and 20 May 2010.

3. **Public Participation**

It is at this point in the meeting that members of the public who have registered their wish to speak can do so. The deadline for registering is by **5.00pm on Wednesday 23 June 2010**. Members of the public can speak on specific planning applications or on other agenda items or matters within the remit of the committee.

To register please contact the Democracy Officer for the meeting, on the details at the foot of this agenda.

4. Plans List

This item invites Members to determine the following planning applications:

a) West Offices, Station Rise, York YO1 6HT (10/00613/FULM)
(Pages 21 - 38)

Refurbishment, extension and part demolition of West Offices building to form new offices for City of York Council. [*Micklegate Ward*] **[Site Visit]**

b) West Offices, Station Rise, York YO1 6HT (10/00614/LBC)
(Pages 39 - 60)

Refurbishment and extension of former York Railway Station and Station Hotel to form new offices/headquarters for City of York Council. [*Micklegate Ward*] **[Site Visit]**

c) West Offices, Station Rise, York YO1 6HT (10/00615/FULM)
(Pages 61 - 78)

New 6 storey hotel building fronting Toft Green, York. [*Micklegate Ward*] **[Site Visit]**

d) Dairy, 6-18 Hull Road, York YO10 3JG (10/00583/OUTM)
(Pages 79 - 98)

Outline application for the erection of student accommodation comprising 332 student bed-spaces in 7 blocks and separate 1 no. flat with associated landscaping and access after demolition of existing dairy. [*Fishergate Ward*] **[Site Visit]**

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

Democracy Officer:

Name: Jill Pickering

Contact Details:

- Telephone – (01904) 552061
- E-mail – jill.pickering@york.gov.uk

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

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details are set out above.

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PLANNING COMMITTEE**SITE VISITS****WEDNESDAY 23 JUNE 2010**

TIME (Approx)	SITE	ITEM
12.30pm	Meeting at the War Memorial adjacent to the site at West Offices, Station Rise (Office proposal)	4a/b
13.30pm	West Offices, Station Rise and Toft Green (Hotel proposal)	4c
14.00pm	Bus leaves Memorial Gardens	
14.15pm	Former Hull Road Dairy Site	4d

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The majority of councillors are not appointed to the Executive (40 out of 47). Any 3 non-Executive councillors can 'call-in' an item of business from a published Executive (or Executive Member Decision Session) agenda. The Executive will still discuss the 'called in' business on the published date and will set out its views for consideration by a specially convened Scrutiny Management Committee (SMC). That SMC meeting will then make its recommendations to the next scheduled Executive meeting in the following week, where a final decision on the 'called-in' business will be made.

Scrutiny Committees

The purpose of all scrutiny and ad-hoc scrutiny committees appointed by the Council is to:

- Monitor the performance and effectiveness of services;
- Review existing policies and assist in the development of new ones, as necessary; and
- Monitor best value continuous service improvement plans

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City of York Council

Committee Minutes

MEETING	PLANNING COMMITTEE
DATE	29 APRIL 2010
PRESENT	COUNCILLORS R WATSON (CHAIR), D'AGORNE, FIRTH, FUNNELL, HORTON, HUDSON, HYMAN, MOORE, MORLEY, PIERCE, POTTER (VICE-CHAIR), REID, SIMPSON-LAING, B WATSON, WISEMAN AND ORRELL (SUB FOR CLLR JAMIESON-BALL)
APOLOGIES	COUNCILLOR JAMIESON-BALL

44. INSPECTION OF SITES

The following sites were inspected before the meeting:

Site	Reason for Visit	Members Attended
Playing Field, St Mark's Grove, York (109/004466/FUL)	To enable Members to view the proposed siting of the path and associated lighting in relation to adjacent residential development.	Councillors Horton, Hyman, Moore, Orrell, Reid, B Watson, R Watson, Waudby and Wiseman.
Rawcliffe County Infant School, Eastholme Drive, York (10/00148/FULM)	To enable Members to view the site and adjacent access road in view of objections received.	Councillors Horton, Hyman, Moore, Orrell, Reid, B Watson, R Watson, Waudby and Wiseman.
Land Lying to the West of Whitehall Grange, Wigginton Road, York (08/02543/REMM)	To enable Members to view the site in relation to its potential impact on nearby properties and the surrounding area which was in designated Green Belt.	Councillors Horton, Hyman, Moore, Orrell, Reid, B Watson, R Watson and Wiseman.

45. DECLARATIONS OF INTEREST

Members were invited to declare at this point in the meeting any personal or prejudicial interest they might have in the business on the agenda.

Councillor Moore declared a personal non prejudicial interest in relation to Plans item 4a (Playing Field, St Mark's Grove, York) as he had promoted the proposals since 2003. He therefore stood down from the Committee and spoke from the floor.

Councillor D'Agorne declared a personal non prejudicial interest in relation to Plans items 4a and 4c (Playing Field, St Mark's Grove, York and Land

Lying to the West of Whitehall Grange, Wigginton Road, York) as the Cycling Champion and member of the CTC.

Councillor Morley declared a personal non prejudicial interest in relation to Plans item 4d (Proposed University Campus Lying between Field Lane, Common Lane, A64 Trunk Road and Hull Road) as a member of the Heslington East Community Forum.

Councillor Pierce declared a personal non-prejudicial interest in relation to Plans item 4d (Proposed University Campus Lying between Field Lane, Common Lane, A64 Trunk Road and Hull Road) as a member of the Heslington East Community Forum and former member of staff and student of the University.

46. MINUTES

RESOLVED: That the minutes of meetings of the Committee held on 3 February and 25 March 2010 be approved and signed by the Chair as correct records.

47. PUBLIC PARTICIPATION/OTHER SPEAKERS

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme.

The Chair did however agree to Councillor B Watson speaking on an item within the remit of the Planning Committee although he stated that he felt this was not the correct place in which to raise this issue.

Councillor B Watson stated that his concerns related to the proposed reorganisation of the Planning Enforcement Team. He referred to the recently undertaken Planning Enforcement Scrutiny Review which had been carried out in an effort to speed up the process and reduce the number of outstanding enforcement cases. He stated that a reduction in staff numbers at this point would reduce the Enforcement Teams efficiency and lose valuable experience and expertise.

The Chair confirmed that the Assistant Director (Planning and Sustainable Development) would provide a written reply.¹

Action Required

1. Provide written reply to Member.

MS

48. PLANS LIST

Members considered reports of the Assistant Director (Planning and Sustainable Development) relating to the following planning applications, outlining the proposals and relevant planning considerations and setting out the views of the consultees and Officers.

48a Playing Field, St Mark's Grove, York (10/00446/FUL)

Members considered a full application, received from Mr Andy Vose, for the construction of a 2.5m wide footpath/cycleway with associated lighting and replacement of an existing footbridge.

Officers provided updated information at the meeting (full details of which are attached to the agenda for this item) relating the following:

- Submission of an amended plan, which showed the path, relocated to a point 2.5 metres away from property boundary's and with the removal of bollard lighting and its replacement with solar panelled lighting.
- No highway objections to the principle of the development.
- Details of the procedure to be followed to change the line of the definitive path.
- An additional condition in respect of the motorcycle barrier and landscaping.
- As solar lighting was no longer proposed a condition requiring control of lighting was no longer required.
- Officers stated that if members were mindful of approving the principle of the amended scheme they suggested that further consultation should be undertaken and power delegated to the Chair, Vice Chair and Assistant Director to approve the application provided that no new issues were raised following re-consultation on the amended scheme.

Councillor Waudby confirmed her support for the submission of an amended plan and referred to an agreement between the Ward Committee and Parish Council for a link path from Staindale Close. Her only concerns related to the materials to be used in the bridge construction, which she felt, should be harder wearing.

Councillor Moore expressed disappointment that the route, previously agreed with local representatives, had not been included in the submitted application. However he also confirmed his support for the amended route now submitted but expressed concern that the link with Staindale Close was not part of the scheme.

Members made a number of points and questioned various aspects of the scheme including:

- Whether planning permission would be required for the suggested link path;
- The Parish Council should liaise with the developer to ensure that the Staindale link path was constructed;
- Confirmation that the trees to be removed were poor specimens of little value with replacements being provided by the Parish Council;
- Detail of the LED low level lighting.

Following further discussion it was

RESOLVED: That subject to further consultation being undertaken in respect of the amendments the Chair, Vice Chair

and Assistant Director be granted delegated powers to approve the application provided that no new material issues are raised during the re-consultation of the scheme.¹

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to:

-
- Principle of the proposal
- Design and landscape considerations
- Traffic, highways and access issues
- Impact on Residential amenity
- Biodiversity

As such the proposal complies with Policies GP1, T2b of the City of York Development Control Local Plan.

48b Rawcliffe County Infant School, Eastholme Drive, York YO30 5TA (10/00148/FULM)

Members considered a major full application, submitted by Learning, Culture and Children's Services, for the erection of a new two storey primary school building in the grounds of the existing school and adjacent playing fields with associated car parking access, landscaping and highway works.

Officers provided updated information at the meeting (full details of which are attached to the agenda for this item) relating to the following:

- Amended Condition 2, 11, 12, 18, 27 and 37;
- Additional Condition in relation to the drainage proposals and the deletion of Conditions 29, 31 and 32;
- To overcome residents concerns trees had been removed from the landscaping scheme within the car park area;
- Environmental Protection had now raised no objections in relation to traffic levels following receipt of additional information;
- Two additional Conditions requested by Sport England;
- Additional Condition requiring details of outside play areas and equipment being submitted and approved by the Local Planning Authority.

The Head Teacher, Rawcliffe Infant Federated with Clifton without Schools outlined the background to the merger of the two schools, which were at present on two different sites. He confirmed that the existing buildings were no longer appropriate for the 21st century curriculum and that moving children from one site to another at age 7 years had a negative impact on their development. Difficulties also existed for parents with children at two sites he therefore urged members to support the scheme, which would provide a modern learning environment for pupils in the area.

Councillor Waudby outlined the history of the proposals which she was now pleased to see at the planning stage. She referred to concerns raised

regarding traffic issues, the existing caretakers bungalow, construction traffic and requested that residents were be kept informed at each stage of the development.

Members questioned various aspects of the scheme including:

- Work undertaken with parents to promote the use of the park and stride scheme;
- Amendments to wording of Conditions 17, 22 and 37;
- Measures to be put in place in respect of public access to the site;
- Concern that the pitch of the flat roofed buildings should be sufficient to avoid ponding or future water penetration;
- Need for bollards to protect verges adjacent to the school entrance.

The Head Teacher confirmed that the promotion of the park and stride scheme had been undertaken by parent education through their children. He stated Year 6 pupils, under supervision, acted, as parking wardens and that site access would be controlled by the site manager.

Members referred to problems related to the present split school site and to the need to provide modern school facilities. The main issue appeared to relate to highways but they felt that these could be alleviated by the proposed mitigation measures.

RESOLVED: That the application be approved subject to the conditions listed in the report and the following amended and additional conditions:

Amended Conditions:

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

Site plan existing	618126/SD/AP/001
Site plan proposed	618126/SD/AP/002
Ground floor plan	618126/SD/AP/003
First floor plan	618126/SD/AP/004
Roof plan	618126/SD/AP/005
Elevations 1	618126/SD/AP/006
Elevations 2	618126/SD/AP/007
Elevations 3	618126/SD/AP/008
Elevations 4	618126/SD/AP/009
Cross section	618126/SD/AP/010
Energy centre GA	618126/SD/AP/011B
3D images	618126/SD/AP/012
Drainage site plan	618126/SD/DC/100
Building drainage	618126/SD/DC/101 A
Fences and gates plan	618126/SD/AS/141 A
Site location plan	0962/001
Location plan	0962/100
Proposed highway improvements	0962/113A
3D view 14	
3D view 17	

Design and access statement

Existing trees on site	2111/1
Tree protection	2111/2
Site levels	2111/8
Detailed landscape proposals	2111/9G
Terrace details	2111/11
Schedule works foundation play area	2111-sw-fplay
Tree works	2111-sw-tree
Flood Risk Assessment	
Transport Assessment	

11. The development hereby approved shall not come into use until a park and stride scheme from Rawcliffe recreation ground to the new school site, the principles of which are detailed within the transport assessment and travel plan, has been implemented to the satisfaction of the Local Planning Authority.

12. The development hereby approved shall not commence until a package of Traffic Regulation Orders, which seek to manage on-street parking in the vicinity of the school site, to be promoted by the Education Authority in consultation with the Highway Authority have been submitted to and agreed in writing by the Local Planning Authority.

18. Prior to the commencement of the development or within such longer period as may be agreed in writing by the Local Planning Authority prior to commencement a management plan for the future management, maintenance and review of the playing fields has been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The management plan shall include, but not be limited to, providing details of the review of any playing pitch model or strategy that should it identify a need for current senior pitches in the locality and no other sites be forthcoming provision for the fence shown on approved plan 618126/SD/AP/002 to be removed and that land used flexibly for this purpose.

27. 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.	

31. The development permitted by this planning permission shall only be carried out in accordance with the approved revised Flood Risk Assessment (FRA) by Atkins dated 18 March 2010 and the following mitigation measures detailed within the FRA:

1. A Sustainable Drainage System will be used to attenuate surface water run off from the site. A flow control device will restrict surface water run-off rates from the swales to 22.7 l/s for the entire site.

2. Provision of a Flood Warning and Evacuation Plan to be submitted to and approved by Emergency Planners at the Local Authority. When it is available the School should be signed up to the Agency's Flood Warning service for this area.
3. Finished floor levels will be set no lower than 12.050m above Ordnance Datum (AOD).

New Conditions:

29. The Development hereby approved shall not begin until details of the surface water drainage works have been submitted to and approved in writing by the Local Planning Authority; thereafter the development shall be carried out in accordance with the approved details before the development is first occupied.

1. Calculations and invert levels of the existing surface water system together with details of calculations and invert levels of the proposals for the new development.
2. A topographical survey showing the existing and proposed ground and finished floor levels to ordnance datum, to ensure that there will not be any detriment to the drainage of existing properties. The development should not be raised above the level of the adjacent land, to prevent runoff from the site affecting nearby properties.
3. Existing and proposed surfacing.
4. Details of run off rates including calculations of both the existing and proposed rates.
5. Surface water run-off from the development shall be attenuated to 70% of the existing rate, in accordance with a scheme to reduce run off to be submitted to and agreed in writing by the Local Planning Authority (based on 140 l/s/ha of connected impermeable areas). If connection. The scheme submitted shall include storage volume calculations, using computer modelling, allowing for a 1:30 year storm with no surface flooding, along with no internal flooding of buildings or surface run-off from the site in a 1:100 year storm. Proposed areas within the model shall also include an additional 20% allowance for climate change. The modelling shall use a range of storm durations, with both summer and winter profiles, to find the worst-case volume required.
6. Details of future management / maintenance of the proposed drainage system.
7. Details of the temporary additional attenuation to accommodate surface run-off from the site in a 1:100 year storm (but without the 20% for climate change) during the construction phase.

36. Prior to commencement of the development a scheme to protect and ensure the continuity of the national curriculum for sport shall be submitted to and approved in writing by the Local Planning Authority after

consultation with Sport England. The scheme shall ensure that facilities remain at least as accessible and at least equivalent in terms of size, usefulness, attractiveness and quality and include a timetable for implementation. The approved scheme shall be complied with in full throughout the carrying out of the development.

37. Prior to the commencement of development details for the phasing of development, including the provision of the sports facilities shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The development shall be carried out in accordance with the approved details.

38. Prior to the commencement of the development or within such longer period as may be agreed in writing prior to commencement details of external play areas and play equipment shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to:-

- Principle of the proposal
- Design and landscape considerations
- Traffic, highways and access issues
- Impact on Residential amenity
- Playing field provision and community use
- Drainage/Flood Risk
- Sustainability
- Crime prevention
- Biodiversity

As such the proposal complies with Policies GP1, GP3, GP4a, GP9, GP11 ED1, ED11 of the City of York Development Control Local Plan.

48c Land Lying to the West of Whitehall Grange, Wigginton Road, York (10/00143/FULM)

Consideration was given to a major full application, submitted by Mr Paul Thackray, for the construction of up to 600 vehicle space car park and ride facility with associated access, passenger terminal building and ground mounted photovoltaic solar array.

Officers updated and reported receipt of the following information since the agenda had been published:

- Request by the Environmental Protection Unit for the inclusion of an additional condition in respect of an acoustic noise barrier;
- Emailed concerns raised by Cllr D Merrett in relation to cycle lane provision on Wigginton Road and the provision for pedestrians at the Stirling Road entrance to the site.

Representations in support of the application were made by the applicant who reminded the Committee that the Park and Ride schemes were integral to the Local Transport Strategy in seeking to reduce congestion and traffic delay to and from the city centre as well as minimising pollution levels. He explained that the main purpose of the site was to catch traffic on the B1363 corridor and relieve pressure on other Park and Ride sites. He also confirmed that once approved further consideration would be given to bus stop siting.

Councillor Waudby confirmed that she welcomed this Park and Ride site, which she hoped, would remove some traffic on the outer ring road. She asked for some deterrent to commuter parking and access to Clifton Moor and that buses would be scheduled at times to coincide with hospital visiting.

Officers confirmed that some of the issues raised by Cllr Merrett did not directly relate to the planning application but could be examined at the detailed design stage as part of the highway works.

Members questioned various aspects of the proposals including:

- Disruption that would be caused with the two phased development of the site;
- How the vehicle capacity of the site had been calculated;
- Proposed Park and Ride route into the city centre;
- Confirmation that the car park would be closed at night and supervised during the day to ensure that owners of parked vehicles did use the Park and Ride service;
- Safety concerns regarding cyclists;
- Confirmation that lighting would be dark sky compliant and only in use during hours of operation;
- Concerns that the landscaping scheme should preserve the openness of the site;
- Concerns that the service would not penetrate into the city centre;
- As ponds were part of the scheme that, if required, barriers were erected in an effort to prevent Greater Crested Newts from accessing areas used by vehicles. Officers confirmed that the Countryside Officer would liaise with the applicant in relation to this point.

RESOLVED: That the application be approved subject to the imposition of conditions listed in the report.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to impact upon the open character and purposes of designation of the Green Belt, justification for and sustainability of the scheme, impact upon the landscape setting of a principal approach to the City, impact upon the natural environment and local biodiversity, impact upon the safety and convenience

of highway users in the vicinity of the access points to the site, provision for pedestrians and cyclists entering and leaving the site, impact of the chosen mode of renewable energy generation over and above the alternative available possibilities and impact of the proposal upon the amenity of nearby residential properties and the surrounding landscape. As such the proposal complies with Policy YH9 and Y1C of The Yorkshire and Humber Plan, policies GP1, GP3, SP8, GP4a), GP9, GB1, T6 and GP5 of the City of York Development Control Local Plan and Government policy contained within Planning Policy Guidance note 2 'Green Belts'.

48d Proposed University Campus Lying Between Field Lane, Common Lane, A 64 Trunk Road and Hull Road, York (08/02543/REMM)

Members considered a major reserved matters application, submitted by the University of York, for the construction of the central lake and raising of Kimberlow Hill at the Heslington East campus.

Officers reminded the Committee that this application had been considered at their meeting on 25 June 2009 when the application had been approved subject to Officers being given delegated powers to approve the final details of certain submitted plans. Officers confirmed that some of the revised plans and the phasing of construction work conflicted with previously agreed conditions and the application had therefore to be brought back for members' consideration.

Officers updated that since the agenda had been published the plans had continued to be updated and that final plans had now been submitted. An updated list of recommended conditions was circulated (copy attached to the agenda).

Representations in support of the application were received from the applicant agents. He explained that Arup had been involved in the scheme since November 2009 and that work had moved forward with the provision of a temporary drainage system to protect the site during the construction period. Technical issues had caused delays but drawings had now been revised and the phasing reduced to one single phase for completion by July 2010, the temporary drainage works would be redundant after this time.

Members questioned the authorities recourse if work was not completed by the October 2010 deadline. Officers confirmed that the authority could take enforcement action if they felt it was expedient to do so.

In answer to questions, Officers confirmed that recent visits had shown that all the temporary drainage works were connected and that the drains had been cleared and were functioning properly.

Following further discussion it was

RESOLVED: That the committee resolution of 25 June 2009 be superseded and that the application be approved subject to the amended conditions set out below:

1. The development hereby permitted shall be carried out only in accordance with the approved plans numbered: DD110317.L.401/F(A), 70072/SK67, 770072/SK68, 70072/SK69, 70072/SK73, 700072/SK74, 70072/SK75, 70072/SK76, 70072/SK77, 70072/SK70, 70072/SK71, 70072/SK72, 70072/107/D, 70072/180/F, 70072/183/E, 70072/LO1C, 70072/132/D, H128-YU-005/B, MMD-264263-S-DR-H128-YU-010/E, CP000318-A/B, H128-002/P1, MMD-264263-C-DR-H128-YU-240/D, MMD-264263-S-DR-H128-YU-274/C, MMD-264263-S-DR-H128-YU-270/F, 70072/229, 70072/238, H128-YU-100/C, MMD-264263-C-DR-H128-YU-100/A, 70072/241/B and H128-YU-SK101/AB

2. The works hereby approved shall be constructed and be fully operational in their entirety prior to 1 October 2010. The temporary drainage works, as described in the agent's letter dated 15 December 2009 and the accompanying ARUP report dated 1 December 2009 and in drawing no. H128-YU-SK101/AB received on 17 March 2010, shall be retained in place and operational until the central lake and the discharge controls contained within the outlet control centre are completed and fully operational.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed, would not cause undue harm to interests of acknowledged importance, with particular reference to the principle of the use, sustainability, drainage, landscape and topography, ecology and biodiversity, and movement and access. As such the proposal complies with Policies GP1, GP4a, GP9, GP15A, NE7 and ED9 of the City of York Local Plan Deposit Draft.

49. APPEALS PERFORMANCE AND DECISION SUMMARIES

Consideration was given to a report, which had also been presented to both Planning Sub-Committees informing Members of the Council's performance in relation to appeals determined by the Planning Inspectorate in the 4 month period up to 31 March 2010. The report also provided a summary of the salient points from the appeals together with a list of outstanding appeals as at 31 March 2010.

RESOLVED: That the reports contents be noted.

REASON: To update Members on appeal decisions within the CYC area and informed of the planning issues surrounding each case for future reference in determining planning applications.

R WATSON, Chair

[The meeting started at 4.30 pm and finished at 6.35 pm].

MEETING	PLANNING COMMITTEE
DATE	20 MAY 2010
PRESENT	COUNCILLORS R WATSON (CHAIR), FIRTH, HORTON, HUDSON, HYMAN, MOORE, MORLEY, PIERCE, POTTER (VICE-CHAIR), REID, SIMPSON-LAING, B WATSON, LOOKER (SUB FOR CLLR FUNNELL) AND GILLIES (SUB FOR CLLR WISEMAN)
APOLOGIES	COUNCILLORS D'AGORNE, FUNNELL, JAMIESON-BALL AND WISEMAN

50. DECLARATIONS OF INTEREST

Members were invited to declare, at this point in the meeting, any personal or prejudicial interests they might have in the business on the agenda.

Councillor Morley declared a personal non prejudicial interest in relation to Plans item 3a (Proposed University Campus Lying between Field Lane and Low Lane, A64 Trunk Road and Hull Road) as a member of the Heslington East Community Forum.

Councillor Pierce declared a personal non-prejudicial interest in relation to Plans item 3a (Proposed University Campus Lying between Field Lane and Low Lane, A64 Trunk Road and Hull Road) as a member of the Heslington East Community Forum and former member of staff and student of the University.

51. PUBLIC PARTICIPATION

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme.

52. PLANS LIST

Members considered the report of the Assistant Director (Planning and Sustainable Development) relating to the following planning application, outlining the proposals and relevant planning considerations and setting out the views of the consultees and Officers.

52a Proposed University Campus Lying Between Field Lane and Low Lane, A64 Trunk Road and Hull Road, York

Members considered a major reserved matters application, submitted by the University of York, for the construction of the western landscape vista of the University campus.

Officers confirmed that this was the second of three landscaped wedges that would sub divide the built areas of the new campus. Plans were circulated which detailed the western vista planting strategy together with sections through showing the contours of the site.

Members questioned details of the Condition relating to time limits and the reference to 'prior to development'.

RESOLVED: That the application be approved subject to the imposition of the following conditions:

1. The development hereby permitted shall be carried out only in accordance with the approved plans numbered (9-) L028/B, (9-) L029/C, (9-) L030/B, (9) L031/C, (9-) L032/B, C-WV-GA-202T1, C-WV-SD-204T1, C-WV-SD-205T1, C-WV-GA-206T2 and C-WV-SD-208T1.

2. Prior to the subject matter of this application commencing, a schedule containing details of the implementation and management of topsoil and growing media, seeding and external planting shall be submitted to and approved in writing by the Local Planning Authority. The implementation of the above items shall be undertaken in accordance with the approved scheme.

3. The subject matter of this application shall not take place until there has been submitted and approved in writing by the Local Planning Authority a detailed landscaping scheme which shall illustrate the number, species, height and position of trees and shrubs. This scheme shall be implemented within a period of six months of the completion of the development. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless alternatives are agreed in writing by the Local Planning Authority.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed, would not cause undue harm to interests of acknowledged importance, with particular reference to respect for the environment, design, landscaping, bio-diversity and drainage. As such the proposal complies with policies GP1, GP9, NE7, GP15a and ED9 of the City of York Development Control Local Plan.

53. CHAIRS REMARKS

The Chair informed Members that the planning applications for the West Offices and Hotel were due to come before them at their next meeting on 24 June 2010. In view of the complexity of the schemes it had been suggested that the Committee might find a presentation of the developers proposals useful.

Following discussion the Committee agreed to hold the presentation on Wednesday 9 June 2010 with a 5.00pm start with any written material being forwarded to Members unable to attend.

CLLR R WATSON, Chair

[The meeting started at 4.30 pm and finished at 4.50 pm].

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- Landscaping of Station Rise and within the garden between the host building and Toft Green/Tanner Row, of note being the removal of the row of Italian alder trees and replacement planting of London plane trees.

ASSOCIATED APPLICATIONS

1.4 There is a companion application for listed building consent for the proposed works – 10/00614/LBC.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Areas of Archaeological Interest GMS Constraints: City Centre Area 0006

Conservation Area GMS Constraints: Central Historic Core CONF

Listed Buildings GMS Constraints:

- Grade 2 Star; York Old Station And Hotel Toft Green 0103
- Grade 2; Gates, Gate Piers And Railings To Old Station Toft 0105
- Grade 2; Main Gates And Wicket Gates To North East Railway 0104
- Grade 2 Star; North East Railway War Memorial Station Rise 0102

Scheduled Ancient Monuments GMS Constraints: SMR 30 City Walls

2.2 Policies:

CYSP6	Location strategy
CYSP7	The sequential approach to development
CYSP8	Reducing dependence on the car
CYGP1	Design
CYGP3	Planning against crime
CYGP4A	Sustainability
CYGP11	Accessibility
CYNE1	Trees, woodlands, hedgerows
CYHE2	Development in historic locations
CYHE3	Conservation Areas
CYHE4	Listed Buildings
CYE3B	Existing and Proposed Employment Sites
CYHE10	Archaeology
CYT13A	Travel Plans and Contributions
CYT4	Cycle parking standards
CYT5	Traffic and pedestrian safety

3.0 CONSULTATIONS

INTERNAL

DESIGN, CONSERVATION AND SUSTAINABLE DEVELOPMENT

3.1 Officers support the scheme. The development would secure the long-term use of the building and unsympathetic C20 additions will be removed. The civic nature of the new use would take advantage of the existing spatial qualities of the building, its site

and its location, and would better reveal the significance of the structure. The extensions are deemed to respect the overall design of the listed building and any harm is considered to be outweighed by long term conservation of the asset for public benefit. The final presentation of the train shed canopy is yet to be agreed. Detailed comments are within the companion listed building consent application committee report.

LANDSCAPING

3.2 It is proposed to remove the Alder trees in the courtyard area. The trees contrast sharply with the broad-spreading, more open crowns of the Plane trees. The Alders provide tree cover along Toft Green, but as a continuous line of vegetation they are not particularly suited to their situation. They have a dense leaf cover and darker tone so they distract the eye from the building and in the summer virtually screen it. To replace the Alders with semi-mature Plane trees would reinstate a symmetry along the approach to the building and open up views to the building from Toft Green. A couple of Alders could be retained but for aesthetic clarity and full effect of the double avenue of planes, (with which they would otherwise compete) it is proposed to remove them.

3.3 Officers add that the proposed sewer route would affect the root protection area of the Plane trees.

ARCHAEOLOGY

3.4 An archaeological evaluation of the site was carried out in 2009. A trench located upon the top of the former station platform revealed a complex sequence of Roman structures, some of which are almost certainly associated with the baths complex recorded during the construction of the railway station. These were overlain by deposits associated with the construction of the platform. The Roman structures were found at a maximum height of 13.56m AOD (approximately 900mm below the modern ground surface).

3.5 The evaluation demonstrated that the degree of survival is poor where the works associated with the development of the site for railway use have destroyed most of the pre-19th century archaeological deposits. Therefore the significance of the deposits preserved on the site does not preclude this development taking place. An archaeological mitigation strategy, which can be required through condition, would provide an acceptable means of recording the significance of the archaeological deposits which will be affected by the development should consent be granted.

HIGHWAY NETWORK MANAGEMENT

3.6 Ask whether the visitor cycle parking, which is presently adjacent the retaining wall to Tanner Row, can be closer to the main entrance and visually obvious to customers. Details of the visitor cycle parking (design of stands and canopy) needs to be agreed. Vehicle swept paths for biomass traffic/refuse delivery etc are required to demonstrate vehicles can undertake these manoeuvres in the land available, whilst avoiding obstacles such as bollards and kerbs.

STRUCTURES AND DRAINAGE

3.7 No objection. The site is in flood zone 1, therefore should not suffer from flooding. Ask that surface water run-off be reduced, to 70% of the existing rate. This can be secured through condition.

ENVIRONMENTAL PROTECTION (EPU)

3.8 No objection, suggest conditions to cover issues regarding noise, odour, air quality and contaminated land.

- Noise during construction and demolition should be addressed through the developers adhering to an appropriate Environmental Management Scheme.
- Details of all machinery/plant to be installed, including location, noise levels and means of extraction to be submitted for approval.
- Air quality - biomass boilers are proposed for the building, in replacement of the existing gas fuelled boilers. Biomass burning can potentially lead to an increase in particulate (PM10) emissions, due to the process of combustion and compared to conventional gas-burning, can also result in an increase in the overall Nitrogen Oxides (NOx) emissions due to the fuel-derived portion that is not present in gas combustion. Air quality monitoring undertaken by the Council has been used to inform and determine the significance of the local air quality impact of the proposed boilers in accordance with the criteria discussed by the IAQM (IAQM, 2009) and the Consultation Draft of the EPUK Planning for Air Quality Guidance (EPUK, 2010). Based on the particular models of biomass boilers specified, there would not be a material impact on air quality. The emission rates of the system can be specified through condition.
- Contamination - site investigations undertaken report no contaminants present on-site that pose a health risk. As a precaution, EPU suggest a condition that any unexpected contaminants be reported to the LPA.

ECONOMIC DEVELOPMENT

3.9 Welcome the proposed office development. The investment will build confidence in York at a time of economic cutbacks and support and create jobs in the city. In particular it provides full occupation for employment uses on a brownfield site which may otherwise be difficult to develop in a comprehensive way. This development, along with the newly opened Cedar Court Hotel, has the potential to kick-start further regeneration of Toft Green and Micklegate, often seen as the "wrong side of the river" in investment terms.

EXTERNAL

MICKLEGATE PLANNING PANEL

3.10 Object on the following grounds -

- The overall roof/ atrium in the centre of the building is too high and obtrusive. The style seems to be a vague imitation of that of the main railway station which dates from around 30-40 years later than the West Offices, and seems to jar somewhat with the architecture of the earlier building. The Panel also felt that the overall quality of the design was poor.
- Disappointed about the extent to which the original features of the old railway station within the "quadrangle" of the main building - including the original canopies and platforms - are to be removed, relocated or concealed as part of the development. Ask for a more imaginative design to preserve these features in a meaningful and visible form.
- The trees on the SE boundary of the site are vital to the setting of this part of the West Offices and should be replaced with appropriate species.
- Concerned that the only major public consultation on the plans was conducted by the developers and not by the council.

SAFER YORK PARTNERSHIP

3.11 No objection, advise that officers were consulted and provided comment on the site design and security. The suggested measures have been incorporated in the scheme submitted.

YORK ACCESS GROUP

3.12 Ask whether noise levels within the new office space have been considered, due to the open aspect of the space, in particular due to the central lightwell.

YORK CIVIC TRUST

3.13 The Trust support the proposals, the following comments have been made over particular aspects of the scheme -

- Train Shed - ask that the roof be glazed, replicating the original appearance of the glass and that the sides be spaced away from surrounding buildings, i.e. it should not be attached to the proposed hotel.
- NW extension - the extension appears contrived, in particular due to the bay windows on the end of the elevation which appear out of place. The preference would be to have a glazing pattern which is respectful of the remainder of this elevation.
- Car Parking - understand the approach for limited car parking but feel there is space for further vehicle spaces to the NW of the building. Further spaces could be provided for pool cars, or those using green technology.
- Station Rise - the area between West Offices and Cedar Court Hotel demands high quality design and presentation. It is felt further thought needs to be put into the landscaping scheme for this area.

YORKSHIRE WATER

3.14 Have asked for full details of the proposed foul and surface water drainage, detailing the proposed connection to the drain on Tanner Row. This would be a condition if the scheme were approved.

PUBLICITY

3.15 Deadline for comments was 26.5.2010. 2 comments have been received, which make the following observations -

- Objection to the proposed relocation of the train shed roof. It is considered the structure is of significant historic interest, it should be retained in situ, and not used as a cycle store. In addition the proposed roof, due to its style also affects the historic understanding of the building.
- The Alders are an elegant tree which provide interest all year round. It is asked if these are only being removed to enable more car parking spaces.

3.16 In addition to the statutory publicity, prior to submission the applicants held a public exhibition in March 2010. Pertinent comments from the exhibition are summarised as -

- Support for re-use of the site.
- Question whether building meets the brief in terms of accommodating council workers.
- Design too modern, and concern over the impact/prominence of the new roof, due to its height and the SW elevation due to its height and proximity to the city walls.
- Object to loss of internal fabric (the track levels and platform should remain distinguished) and re-location of train shed canopy (which loses its integrity due to re-location, proximity to the proposed hotel and the proposed use as a cycle store).
- Question how secure the cycle store would be.

4.0 APPRAISAL

KEY ISSUES

4.1 Key issues are -

- Whether the development is acceptable in principle.
- Sustainability of the proposed offices.
- Impact on the historic environment - listed building, Central Historic Core Conservation Area and archaeology.
- Amenity.
- Drainage.
- Highway network management.
- Air quality.

WHETHER THE DEVELOPMENT PROPOSALS ARE ACCEPTABLE IN PRINCIPLE

4.2 PPS4: Planning For Sustainable Economic Growth advises that proposals for sustainable economic growth should be treated favourably. In defining such, PPS4 advises that the following should be considered, all of which it is deemed this proposal fits with -

- Whether the proposal has been planned to limit carbon dioxide emissions and provide resilience to climate change.

- Accessibility by a range of transport modes, and acceptable impact on the highway network.
- High quality design which improves the appearance of the area.
- Impact on physical and economic regeneration in the area.
- Impact on local employment.

4.3 Of the DLP (Draft Local Plan) policies SP6 and SP7a adopt a sequential approach to the location of offices. The preference is for development of previously developed/brownfield land within the defined city centre.

4.4 The building's current and established use class is as offices. As such no change of use is proposed in this application, only additional floorspace (6,674 sq m). Overall the total floorspace would be 16,731 sq m. The existing building provides office space which does not meet modern standards, and it is difficult to achieve full occupation. The scheme proposed will significantly improve the standard of the office space, in terms of the variety of facilities, accessibility and the environmental performance of the building. It would also lead to full occupation of the site, and be a prudent use of the land. Overall the proposal fits with national and local policies due to the location of the site and as its sustainable regeneration would have a significant physical and economic regeneration benefit.

SUSTAINABILITY

4.5 PPS1: Delivering Sustainable Development advises that regional and local planning policies seek to reduce energy use and promote development of renewable energy. Policy ENV5 of the Regional Spatial Strategy (RSS) advises that commercial developments of over 1,000 sq m should obtain at least 10% of their energy from decentralised renewable or low-carbon resources, unless it can be demonstrated this is unviable or unfeasible. The council's interim planning document on sustainable design and construction (IPD) asks that commercial developments of over 500 sq m floorspace achieve a BREEAM rating of at least very good, specifically the submission should advise on proposed renewable energy, use of materials and site management. BREEAM (The Building Research Establishment Environmental Assessment Method) provides a rating for buildings, which takes into account environmental performance during construction and throughout the lifetime of the development.

4.5 The development proposed would exceed the requirements of ENV5 of the RSS and the council's IPD in that it is expected the building will achieve a BREEAM excellent rating, with in excess of 10% of the building's required energy from renewable resources (potentially 80% of energy use will be from renewable resources). Renewable energy will be from a biomass boiler (using locally supplied wood) and a bio-diesel combined heat and power unit. There is also potential for photovoltaic panels to be installed on the new roof. Furthermore, the building has been designed to reduce energy demand, through temperature regulation, insulation, re-using energy to heat the building and maximising natural ventilation and lighting. During construction, the considerate constructors scheme will be participated in. Materials from West Offices will be re-used on-site where possible although the scheme involves an element of demolition of C20 additions from which materials are unsuitable for re-use. Private car use will be deterred due to the proximity to rail and

bus connections and through the provision of facilities for cyclists - see paragraph 4.26.

IMPACT ON THE LISTED BUILDING AND THE CONSERVATION AREA

4.6 In considering whether to grant planning permission for development that affects a listed building or its setting, according to (Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the LPA is required to have special regard to the desirability of preserving a listed building, its setting and any features of special architectural or historic interest which it possesses. Section 72 of the act advises that in considering whether to grant planning permission with respect to any buildings or other land in a conservation area, the LPA shall pay special attention to the desirability of preserving or enhancing the character or appearance of that area. This is re-iterated in policies HE2 and HE3 of the DLP.

4.7 PPS5: Planning for the Historic Environment advises that in considering proposals affecting listed buildings, the LPA shall weigh the public benefit of the proposal against any harm. PPS5 accepts that harm to a listed building may need to occur in order to secure the benefit of keeping a building in optimum viable use. Considering new buildings or extensions, PPS5 advises that a building's contribution to its setting can be sustained or enhanced if new buildings are carefully designed to respect their setting by virtue of their scale, proportion, height, massing, alignment and use of materials.

4.8 The principle of the development with respect to the impact on the listed building overall is welcomed and accords with PPS5 as it will secure the optimum viable use of the building and its long term conservation. There are other benefits, which PPS5 recognises as 'heritage benefits', with regards economic regeneration, sustainability and the contribution the building makes to its setting. The proposed construction is listed in 4.9 to 4.14. A full appraisal is contained in the companion listed building application committee report.

NW WING/ARRIVALS PLATFORM BUILDING

4.9 The part of the NW wing which is to be demolished is 2-storey, with a part pitched/glazed roof, part flat roof, dating from the late-C19 and C20. The bridges which cross where the tracks were once located are prominent, unsympathetic additions, added in the mid-C20, and are also to be removed. These building(s) were added after the station re-located, they are functional and do not make a positive contribution to the appearance of the listed building. The proposed demolitions and alterations would re-instate the U-shaped plan of the original station with hotel.

4.10 The NW wing extension would be in light brick with a slate hipped roof. Windows would be ordered and deeply recessed in their reveals. The extension is identified by its step up in height (around 2.5m) and the gable ends, which contain 2-storey high bay windows on each side. Whilst the new elevation has modern elements, it respects the original building through its materials, massing, order, shape and detailing.

END ELEVATION AND RELOCATED TRAINSHED CANOPY

4.11 The end elevation is predominantly glazed, with two rectangular arches to articulate the elevation. The arches are intended to reference the route of railway lines

which ran into the station, but also serve an important function, as they assist with shading of the floor-plates and carry the required services/ductwork. The glazing allows natural light into the building and provides openness, referencing the historic appearance. The relocated train shed canopy roof will be on the outside of the building, in a position where the train shed originally extended to, when the building was in its original use.

ROOF

4.12 The roof is intended to have a low profile so it is least prominent from the outside, its support and fixings are intended so from the inside, the structure can be read as separate from the enclosing buildings. The roof shape allows climate control in the building, by enabling natural light gain, whilst preventing glare/overheating. The roof is designed so it is fit for purpose and not over prominent, a flat roof would not allow the climate control requirements, and a pitched roof would create a far more heavy/prominent structure that would compete for attention with the main building. In officers opinion the structure is visually acceptable and would not detract from the appearance or historic interest of the building.

4.13 Overall the proposed demolitions and alterations will enable the reconfiguration of the building, to provide additional floorspace within the site and to facilitate low energy demand, and climate control within the building, required for the BREEAM excellent rating. This will allow the optimum viable use of the building.

4.14 Officers are of the opinion that the design of the new elements are acceptable, they are distinct contemporary additions of complementary scale, so would read as modern additions that would sit comfortably, and not detract from the appearance of the host building. In comparison to the existing layout, the proposed layout is significantly more sympathetic to the original function and appearance of the building, with U-shaped buildings around the enclosing roof and open aspect to the southern side. The relocation of the canopy is a necessary change, which assists with the understanding of the building's original function and route of the railway line. It also allows the on-site retention and refurbishment of the canopy. Subsequently, the building as proposed would not appear over-dominant or out of scale when viewed alongside neighbouring buildings from the city walls and would enhance the appearance of the conservation area.

LANDSCAPING

4.15 The proposed landscaping scheme affects Station Rise and the appearance of the garden area, located between the departure platform buildings and Tanner Row. The scheme, if approved would be subject to conditions regarding the landscaping scheme and the protection of trees (to be retained) during construction. This will include how the proposed sewer run would be introduced so it is directed around trees and their root protection areas, and how surfacing would be laid to avoid damage to trees.

4.16 To the south side of the building it is proposed to remove the row of Italian alders, 4 Lawson cypress trees, and a Hornbeam tree. The majority of these trees need to be removed to accommodate the proposed hotel and car parking spaces. 4.17 Whilst 3 of the alder trees and the elm could be retained, the preferred approach is to remove

all and replace with 6 London planes which will be aligned with the existing plane trees. Policy NE1 of the DLP applies when it is proposed to remove trees on development sites. NE1 states that trees which are of landscape, amenity, nature conservation, or historic value will be protected. When it is proposed to remove trees, the proposals should advise on the merits of specimens to be removed and undertake appropriate replacement planting of locally indigenous species. Of the trees to be removed the alders are of moderate value (retention category B), the cypress low vale (c) and the elm, due to its condition, is suggested for removal. The London planes are deemed to be of high amenity value, and the proposed scheme is better suited to the setting than the existing arrangement.

4.18 To the NW side of the offices building it is proposed to remove another 3 trees, a Horse chestnut and Silver birch where motorcycle and pool car parking is proposed and a Whitebeam where the loading area is proposed. These trees are of low amenity value and their loss can be accepted. Discussion is ongoing to add planting to this area, which is presently dominated by hardstanding and car parking, and the final landscaping scheme can be subject to condition.

4.19 Where Station Road meets Station Rise the footpath would be widened and then extended, so would continue across where the road presently leads into Station Rise. The tarmac surface along Station Rise would be replaced by bound gravel, with stone paving around the front entrance to West Offices and the adjacent hotel building. These works are welcome, as they enhance the appearance of the conservation area and give pedestrians priority over vehicles.

ARCHAEOLOGY

4.20 The site is within the city centre area of archaeological importance. Policy HE10 of the DLP seeks to preserve important archaeological remains and requires that applications demonstrate no more than 5% of archaeological deposits are disturbed or destroyed during works. An evaluation has been carried out onsite which informs that although there are archaeological remains preserved on parts of the site, the degree of survival is poor as the works associated with the development of the site for railway use destroyed most of the pre-19th century archaeological deposits. Compliance with policy HE10 can be secured through conditions that would require a watching brief on groundworks and that a foundation design, and statement of working methods be supplied, and adhered to, that would preserve 95% of archaeological deposits on the site.

AMENITY

4.21 Servicing and extensions to the host building would be on the NW side, between the existing building and the city walls. As such these changes would not affect the amenity of surrounding occupants. The development would likely lead to an intensification of use of the site, but since the site is within the city centre, these levels of activity are to be expected and do not therefore cause concern. Acoustic modelling has been undertaken which confirms internal conditions would be acceptable for occupants.

SITE DRAINAGE

4.22 The application site is within flood zone 1 where PPS25: Planning and Flood Risk advises that all types of development are appropriate, as the risk of flooding in such areas is deemed to be low. Policy GP15a of the DLP advises that in new development, discharges should not exceed the capacity of the sewer system and surface water run-off should not exceed the existing rate.

4.23 There would not be a material increase in foul or surface water drainage as a consequence of the proposed development. To ensure drainage flows are below existing rate, it is proposed a hydro-brake storage system is installed to control surface water run-off. The storage system would be located underneath where the proposed train shed canopy is to be located. The final approach to drainage will be agreed as a condition of approval as the proposals are subject to final agreement from Yorkshire Water.

HIGHWAY NETWORK MANAGEMENT

4.24 Policy SP8 of the DLP seeks to reduce dependence upon the car. It is suggested this occurs through locating large scale development close to bus routes, pedestrian and cycle networks and through the provision of cycle parking. The objectives of the DLP and PPG13: Transport (national planning policy) are to promote accessibility to jobs by public transport, walking and cycling and to reduce the need to travel, especially by car. Policy T4 of the DLP requires appropriate cycle parking provision, T5 asks that developments do not have an adverse effect on road safety and T13a requires developments to adopt a travel plan when over 30 employees would operate at a site.

4.25 The application site by virtue of its location is well served by public transport. Car parking will be restricted to spaces for disabled people and pool cars (17 spaces overall). Cycling is encouraged as 276 staff cycle parking spaces are proposed, which are covered and secure, and there would be 26 spaces for visitors by the courtyard entrance. The amount of spaces (302 total) exceeds the minimum requirement established in the DLP of 279 and additional spaces could be added in future if necessary. In addition changing facilities (showers and lockers) are proposed. The occupants (CYC) also produces a travel plan to encourage sustainable means of travel.

4.26 To improve safety and give pedestrians priority over road traffic, the pavement is to be extended at the junction of Station Road and Station Rise, and surfacing along Station Rise altered to give pedestrians priority over vehicles. Servicing will occur from the NW side of the building, off the main highway and away from the main entrances, which are on the NE side of the building or from Station Rise.

4.27 Overall the development complies with planning policy in terms of taking steps to reduce travel, encourage alternative means of travel to the private car and to ensure highway safety.

AIR QUALITY

4.28 GP4b of the DLP requires proposals outside an air quality management area (AQMA) to assess their impact on air quality where there is a recognised air quality problem in the area, or when there will potentially be significant emissions from the proposed building.

4.29 It is proposed to replace the existing gas boilers with biomass and bio-diesel fuelled boilers. Due to the location of the ventilation stacks and details supplied by manufacturers, there would not be a material effect on air quality (see 3.6).

5.0 CONCLUSION

5.1 The proposed scheme represents a demonstration of best practice, in its approach to the re-use and extension of a significant heritage asset, fitting with national and local planning policy, by securing the long term future of a grade 2 star listed building, which otherwise would have an uncertain future. It also provides a highly sustainable, modern office building in an optimum city centre location. The design approach achieves a balance between delivering a building which is fit for purpose whilst respecting the listed building's historic fabric and adding extensions which sit comfortably with the host building and enhance the appearance of the conservation area. The original train shed canopy will also be revealed, enabling further understanding of the building's original use.

5.2 Subject to compliance with conditions, the building can operate without having an adverse effect on flood risk, highway safety and air quality.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

- 1 TIME2 Development start within three years
- 2 Development to be carried out in accordance with the approved plans.
- 3 Prior to occupation of the building hereby approved a formal BREEAM assessment or equivalent, for the Design and Procurement stages for the building hereby approved shall be submitted to the Local Planning Authority. The assessment shall be followed by a BREEAM Post Construction review to be submitted after construction at a time to be agreed in writing by the Local Planning Authority. All assessments shall confirm the minimum 'Very Good' rating, or equivalent, be agreed to in writing by the Local Planning Authority and the development implemented accordingly.

Reason: In the interests of sustainable development, in accordance with the requirements of policy GP4a of the Draft Local Plan and the Council's planning guidance Interim Planning Statement (IPS) on Sustainable Design and Construction.

- 4 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 the development. The palette of materials shall be submitted concurrently, unless otherwise agreed, and the development shall be carried out using the approved materials.

Reason: So as to achieve a visually cohesive appearance.

5 VISQ7 Sample panel ext materials to be approved

6 No development shall take place until there has been submitted and approved in writing by the Local Planning Authority a landscaping scheme which shall include an audit of existing fixed structures, and retention of those which make a positive contribution to the setting, and the approach to planting and incorporation of adequate vehicle swept paths for service vehicles on the NW side of the building.

This scheme shall be implemented within a period of six months of the completion of the development. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless alternatives are agreed in writing by the Local Planning Authority.

Reason: In the interests of good design, setting of the listed building and highway safety.

7 All works shall be carried out in accordance with BS5837:2005 recommendations for protection of trees during construction and prior to works commencing, details of the protection of trees, both during construction and as a consequence of the proposed landscaping and drainage scheme shall be submitted to, and approved in writing by the Local Planning Authority, and the works carried out accordingly.

Reason: To ensure the protection of trees that make a positive contribution to the setting of the listed building and the conservation area, and which are intended to be retained.

8 Prior to the development commencing details of the areas for customer cycle parking (including type of secure fixing, elevations, materials and means of enclosure where proposed) shall be submitted to and approved in writing by the Local Planning Authority. The building shall not be occupied until the facilities have been provided in accordance with the approved details, and the facilities shall be provided/maintained thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure adequate space for, and to encourage cycle use in accordance with policies GP1, and T4 of the City of York Draft Local Plan.

9 The site shall not be occupied until a travel plan has been submitted and approved in writing by the Local Planning Authority. The travel plan shall be developed and implemented in line with local and national guidelines. The site shall thereafter be occupied in accordance with the aims, measures and outcomes of said Travel Plan. Within 12 months of occupation of the site a first year travel survey shall have been submitted to and approved in writing by the Local Planning Authority. Results of yearly

travel surveys shall then be submitted annually to the authority's travel plan officer for approval.

Reason: To reduce private car travel in accordance with PPG13: Transport, and policy T13a of the City of York deposit Draft Local Plan.

10 Development shall not begin until details of foul and surface water drainage works have been submitted to and approved in writing by the Local Planning Authority, and carried out in accordance with these approved details. The location of the new drain shall be directed so it does not affect trees onsite which have been shown as being retained. Details of the location shall be supplied to the Local Planning Authority for approval and development implemented accordingly.

The drainage scheme shall demonstrate that the minimum finished floor level shall be no lower than 10.50m AOD and peak run-off is attenuated to 70% of the existing rate (based on 140 l/s/ha of proven connected impermeable areas). Storage volume calculations, using computer modelling, for run-off shall accommodate a 1:30 year storm with no surface flooding, along with no internal flooding of buildings or surface run-off from the site in a 1:100 year storm. Proposed areas within the model shall also include an additional 20% allowance for climate change. The modelling shall use a range of storm durations, with both summer and winter profiles, to find the worst-case volume required.

Reason: To prevent flood risk.

11 ARCH2 Watching brief required

12 ARCH3 Foundation design required

13 Prior to commencement of the development, an Environmental Management Scheme for minimising the creation of noise, vibration and dust during the demolition, site preparation and construction phases of the development shall be submitted to and approved in writing by the Local Planning Authority. All works on site shall be undertaken in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

Reason. To protect the amenity of local residents and businesses

14 Details of all machinery, plant and equipment to be installed in or located on the use hereby permitted, which is audible outside the application site, shall be submitted to the local planning authority for written approval. These details shall include maximum (L_{Amax}(f)) and average sound levels (L_{Aeq}), octave band noise levels and any proposed noise mitigation measures. All such approved machinery, plant and equipment shall not be used on the site except in accordance with the prior written approval of the local planning authority. The machinery, plant or equipment and any approved noise mitigation measures shall be fully implemented and operational before the proposed use first opens and shall be appropriately maintained thereafter.

Reason: To protect the amenity of local residents and businesses.

15 The biomass boiler chosen for the site shall have an equivalent or lower emission rate of 97 mg/MJ NO_x (nitrogen dioxide) and 38mg/cubic m PM₁₀ (particulate matter).

The stack exhaust shall extend a minimum of 1.5m above the roof, at the point of release (in line with the recommendations of the AECOM air quality assessment).

Reason : To ensure that there is no detrimental impact on local air quality.

16 In the event that contamination is found at any time when carrying out the approved development, the findings must be reported in writing immediately to the Local Planning Authority. In such cases, an investigation and risk assessment must be undertaken, and where remediation (clean-up) is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination 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 safety and health risks.

17 Waste, including any recyclables, shall not be stored in any external areas. Details of the means of any enclosure for waste storage areas shall be submitted and approved in writing by the Local Planning Authority prior to occupation of the building and the works carried out in accordance with the approved details.

Reason: In the interests of the appearance of the conservation area and setting of the listed building.

7.0 INFORMATIVES:

1. You are reminded that listed building consent is also required for the proposed development. Works should not commence until that consent has been granted.

2. Any biomass boiler used on the site shall be classed as exempt under the Clean Air Act, as the site is within a Smoke Control Area. It is an offence to emit smoke from a chimney of a building, from a furnace or from any fixed boiler if located in a designated smoke control area.

3. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, as it constitutes securing the long term future of a listed building at risk, and involves the creation of sustainable accessible office space in a sequentially preferable location, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the character, appearance and setting of the listed building, the character and appearance of the conservation area, highway safety, flood risk and air quality.

The proposal complies with national policy contained in PPS1, PPS4 and PPS5 and policies SP6, SP7, GP1, GP3, GP4a, GP11, NE1, HE2, HE3, HE4, HE10, E3b, T4, T5, T13a of the City of York Development Control Local Plan.

Contact details:

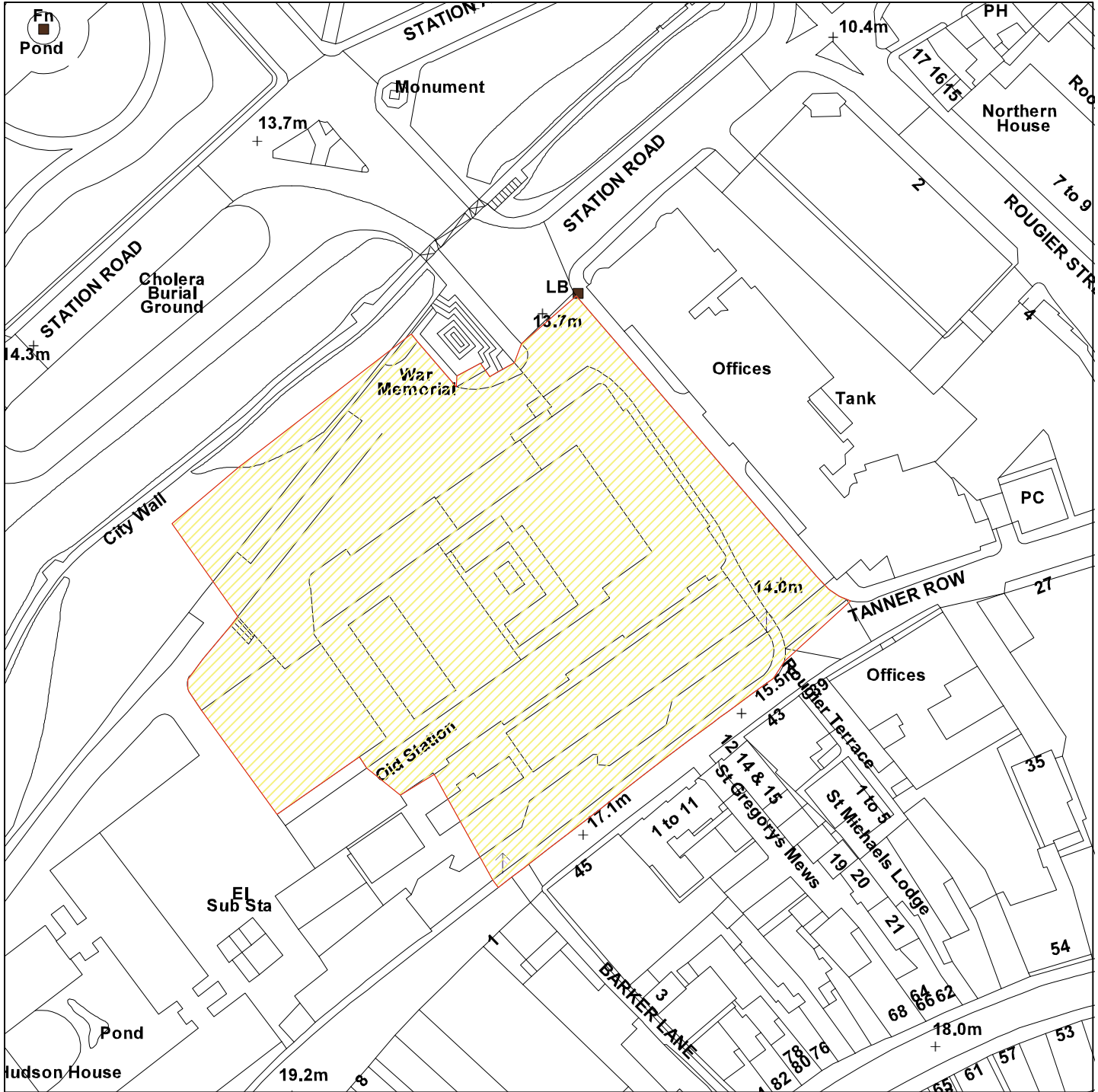
Author: Jonathan Kenyon Development Control Officer
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West Offices, Station Rise

10/00613/FULM



GIS by ESRI (UK)



Scale : 1:1250

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Organisation	City of York Council
Department	Planning and Sustainable Development
Comments	
Date	14 June 2010
SLA Number	Not Set

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was added. A further storey was added to the toilet block in 1927, and the SE end extended again in the C20, with 2-storey flat roof additions of white/red brick.

1.6 It is proposed to demolish part of the building on the SE end, removing the toilet block and later extensions, including the 3-storey annexe building that fronts onto Toft Green. On the internal side, the original elevation is partially hidden by an extension which projects over the platform area. This addition is clad in white and red brick, and has a ground floor colonnade, formed by brick arches. It is proposed to remove this extension, which is thought to have been added circa 1879, when the buildings were adapted for office use.

ARRIVAL PLATFORM (west/city walls side)

1.7 The arrival platform was originally single storey and provided refreshment rooms. On the external elevation this area is where the red brick begins and travels SW, including the area where there are 7 round/arched headed openings and then the 3 flat-headed rectangular windows below horizontal rectangular windows. In 1850 the building was extended at ground floor level to the SW, and an upper floor was added, above the 7 round headed windows, creating offices for GNE railways. There are further later extensions to the SW, added in the late C19 after relocation of the railway station, and again in the mid C20 when the bridge links were added.

1.8 Partial demolition of the NW wing is proposed. The hotel building, refreshment block and GNE offices would remain, with later additions to the SW replaced with a 4-storey extension.

HOTEL/CROSS PLATFORM

1.9 The hotel was originally 1 room deep at ground floor level, whilst on the upper floors there were two rows of rooms and a central corridor. The rear range was supported by iron columns and bridged over the cross platform. The ground floor area of the hotel was extended over the cross platform (infilling the area below the supported upper floors) after 1877, when the buildings were converted to offices. It is proposed to remove part of said wall and expose the columns which support the upper floors, thus returning to the original configuration.

PLATFORMS AND TRAIN SHED

1.10 The train shed roof was originally divided into two aisles, covering each platform and the associated tracks, with a gap in the centre. The roof was extended circa 1845 when the platforms were lengthened and truncated to accommodate the hotel, which was added in 1850's. Part of the train shed was removed in the 1950's, when the two bridges, which link the arrival and departure blocks, were added and again in 1966, when Hudson House was built. The remainder of the shed roof is presently covered in timber, with a glazed area near each ridge. The roof covering is modern. It is thought that originally the roof was covered in slate (laid on timber boards) and the upper area glazed. The roof finish has been altered over time and by 1873 it is thought the roof was largely covered with timber boarding.

1.11 It is proposed to re-locate the train shed to the SE end of the building where it would be seen from the city walls. The train shed would act as a cycle store and 'break out' space for office workers.

1.12 The train tracks and turntables have been removed and the platforms altered. It is proposed to have a level ground floor area by extending the platform level over the area formerly occupied by the railway lines.

TIMBER HUTS

1.12 When the railway station closed, several wooden huts were added between the departure block and Tanner Row, as a temporary means of accommodating further office space. One of the huts remain. The hut has been altered to the extent that none of the facades have their original appearance and internal fittings/furnishings have been removed. It is proposed to re-locate the hut off-site.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Areas of Archaeological Interest GMS Constraints: City Centre Area 0006

Conservation Area GMS Constraints: Central Historic Core CONF

City Boundary GMS Constraints: York City Boundary 0001

Listed Buildings GMS Constraints:

- Grade 2 Star; York Old Station And Hotel Toft Green 0103
- Grade 2; Gates, Gate Piers And Railings To Old Station Toft 0105
- Grade 2; Main Gates And Wicket Gates To North East Railway 0104
- Grade 2 Star; North East Railway War Memorial Station Rise 0102

Scheduled Ancient Monuments GMS Constraints: City Walls

2.2 Policies:

CYHE4 Listed Buildings

3.0 CONSULTATIONS

INTERNAL

DESIGN, CONSERVATION AND SUSTAINABLE DEVELOPMENT

3.1 Support the scheme. Officers consider that the historic importance of the building's use as an early railway station is generally not understood from its current appearance. From the public realm there is no hint of the train shed. Main views of the site are from the city walls, from where the building appears as an additive collection of different structures, built over a century. The 1950's structures, with the large felted mono-pitch roofs of the bridge links dominate the foreground views, with a series of earlier hipped roofs at different levels visible beyond. These, and views of the car parking areas around the building dominate the landscape.

3.2 The proposals represent a significant opportunity to improve the appearance of the building within the conservation area. Importantly the scheme design would assist in elucidating the previous use of the building by removing the later accretions and exposing the relocated train shed canopy. Also the public function to the building and the new role would allow it to reclaim its civic presence within the city. By reinstating the former entrance sequence to the east -through the gateway off Station Rise, into the former centrally located Booking Office - the architectural and historic importance of the building would be better revealed.

3.3 Overall officers support the scheme, it accords with the Government's overall objectives for the historic environment and heritage assets as set out in the new planning policy statement PPS 5. In particular the proposals would enable a public use, of importance to York and its citizens, to be returned to this pioneering historic building and secure its long-term future. The civic nature of the new use would take advantage of the existing spatial qualities of the building, its site and its location, and would better reveal the significance of the structure. Any harm is considered to be outweighed by long term conservation of the asset for public benefit.

3.4 Detailed comments on each aspect of the scheme are as follows -

INTERNAL AREAS

3.5 The ad-hoc historic development of the offices has resulted in awkward relationships between levels. It is proposed to create an accessible flexible working environment by reusing the central zone previously fully enclosed by the train shed canopy. This central area would function as the main connector between the wings and former hotel, in a similar way to the previous platforms, and allow level access through the introduction of lifts. The lifts would be located in positions chosen to overcome the most awkward juxtapositions of floor levels. Unfortunately one of these locations is within the area of the remaining train shed canopy.

3.6 It is important that the interior design of the ground floor central area is developed to further public understanding of its historic use; in particular co-ordination of setting out positions of the columns, the layout of ground floor uses, the definition of the platform zone, and the choice of finishes will be important.

3.7 Internally the distinction between the new and old structures is reinforced by the lightwells which provide a gap between the platform walls of the former railway station and hotel, and the outer edges of the new floor-plates and detailing of the abutments between the bridges and the historic fabric can also help to separate the structures visually. Removal of later paint layers on historic facades will further assist in unifying the appearance of the earlier walls and in distinguishing them from new fabric.

3.8 The fire-engineering strategy has been developed to allow cross ventilation between different zones of the building. The majority of the windows are shown as being retained, overhauled and upgraded to improve their thermal and acoustic performance. It has been agreed that windows will not be reinstated where they have previously been removed and that some of the newly internalized windows could be removed into storage if further openness and inter-visibility is required between the

general office areas. Where this is the case it is important that architraves are retained as their loss would undermine the architectural integrity of the historic interiors.

3.9 Doors have been the subject of a separate schedule as there are few remaining historic internal doors which have not been significantly altered and many of the doors are C20th replacements. The pattern of doors is most consistent in the hotel. There are a variety of external doors as elevations have been altered and added-to over several decades. Notwithstanding the proposals put forward, it is important to rationalize the use of historic doors in meaningful places according to type and fit. The design of new doors should also be the subject of condition.

TRAIN SHED CANOPY

3.10 The presence of the train shed canopy is essential to our understanding of the building as a former railway station. Originally the train shed was a highly visible part of the complex. The early design had a hipped roof canopy supported by a colonnade forming the end screens on the open sides. The canopy was truncated when the hotel was built to the NE and the other arcade was lost when the canopy was extended southwards beyond the station buildings. At an early stage the central open section between the tracks was covered-in and the glazed sections over the centre of the trusses were raised to allow for ventilation. These alterations were minor though compared to the mid C20th destruction of the majority of the structure.

3.11 Retaining the remaining train shed in its current location poses difficulties for the new use, as horizontal connectivity of the building's upper levels would be compromised, a lift position could not be achieved where most required and the new central volume would be pushed outside the wings of the building. The canopy would be further hidden from public view by being concealed within the new structure. Although dismantling the structure is considered harmful to the building, its proposed re-erection - on its existing alignment but outside the wings of the enclosed area where sections of canopy would have been - is considered to constitute less than severe harm in terms of policy HE 9 in PPS 5 (see 4.4). The new location would re-establish its presence in a highly visible location close to the former arrival and departure wings. In this place the train shed would enhance public understanding of the origins of the building.

3.12 The specialist report supplied with the application implies that the structure could be dismantled and re-erected without harm. Officers advise further investigations will be necessary to establish the sequence of work and a full recording in-situ will be required. Further thought to the final presentation of the proposed new structure is necessary, covering -

- Any new elements required to provide security (such as railings) should be set well back from the outer perimeter of the canopy, and be light-weight in appearance to reduce their visual effect.
- In order to alleviate pressure on the space under the canopy, consideration should be given to providing some of the cycle storage against the retaining wall opposite the staff entrance.
- The relationship between the canopy and surrounding structures needs to be better defined.

- The treatment of canopy sides and roof require further detailed work to ensure seating connections are other details are faithfully copied. Recreating the solid support wall and using a mixed solid and glazed roof covering both together might unacceptably reduce the light within the office area. However the proposal for redesigning the roof covering as part of the public art strategy also causes some concern with respect to potential loss of historic design intention.

EXTENSIONS

3.13 A new extension would be added to the south west of the former refreshment block, replacing the 1950s extensions. The existing block is of several builds reflecting the continued expansion and alteration of this wing and the elevation facing the city walls employs different types of brick (buff/yellow gault & red) and windows demonstrate varied floor to ceiling heights and different scales. Whilst the south east facing elevation has unified architectural expression befitting of the principal elevation, the northwest elevation demonstrates a pragmatic approach to function.

3.14 The replacement extension would continue the existing building concept of having the outer U-form of solid massing. The height is dictated by the desire to have an efficient building volume with effective relationships between accommodation areas. It would be no higher than the former hotel. The design would continue to use hipped roofs, repetitive vertical windows, cill bands and overhanging eaves; and it would be constructed in matching gault brick with stone dressings. Within this framework of continuity contemporary detailing would be employed. This approach is considered to respect the fundamental architectural design of the building.

ROOF FORM

3.15 The concept of providing the additional accommodation under a new roof in the central area depends on there being a clear distinction between the superstructure and the side wings, and also between the centrally inserted floor-plates and the newly internalised elevations of the historic structure.

3.16 The new roof has been expressed as a shallow arch. It is not a single span structure typical of late railway buildings, but a simple roof covering over the new office area. The supporting columns allow the roof edge to be cantilevered out towards the side walls in order to avoid taking support from the existing structure. This would enable the existing cornice lines to "be read" within the central space and the walls would be free of new structure. Unfortunately due to the height of the new roof and the need for a wide gutter at this point it would not be possible to provide a lighter connection.

3.17 The roof itself adopts a saw-tooth form to provide opening north lights with safe access for maintenance and cleaning. Rooflights would be expressed as continuous panels rather than as individual windows. The outward facing deep section of the roof is set well back from the southwest elevation so the roof presents a sharper thinner edge capping to the glazed end elevation. This device should reduce the visual weight of the roof when seen in relation to the side wings. The horizontal brise-soleil which appears to overlap the SE wing should be redesigned to maintain the separation gap between the two structures.

ENGLISH HERITAGE (EH)

3.18 Welcome proposals as the building is underused and this redevelopment will secure its long-term future. EH consider that a key change is the re-location of the train shed canopy. Comments are also made regarding integration of the new floorspace that would sit between the existing buildings.

3.19 EH consider the harm of relocating the remainder of the original train shed canopy will be 'less than substantial'. EH support the change, on the grounds that the canopy would be relocated to where part of the structure was once located, and public views of the structure are enabled. Further details are asked for, in due course, of the re-erection of the structure and the means of enclosure.

3.20 The additional floorspace in the courtyard is also considered a sensitive matter. EH support the proposal, as submitted, which involves bridge links to unite the extra space and the platform buildings. It is felt that the proposal allows the internal facades of the original buildings to be read as architectural elements in their own right.

COUNCIL FOR BRITISH ARCHAEOLOGY (CBA)

3.21 Support the re-use of the building, which removes unsightly later additions. Comments made regard the re-location of the train shed. CBA note that the shed as existing has been altered substantially - the original roof has been replaced; it is in part encased in a later building (at the back of the hotel) and has been affected by the installation of service ducts. The proposal to relocate will enable the shed to be seen from the public realm and would sit where part of the shed once did. Further details have been requested regarding the re-building of the structure and proposed roof materials, which could be secured as a condition of consent.

ANCIENT MONUMENTS SOCIETY (AMS)

3.22 Welcome the Council's decision to move its offices to this important site. AMS see this as a commitment to historic buildings within the City of York and a means of ensuring a sustainable future of one of York's major 19th-century buildings. AMS do not formally object, but do have concerns over the design of the roof, the extension to the NW range, and the footprint and height of the hotel building (which is the subject of a separate application).

- Roof - the idea of a glazed light-weight roof over the area of the former platforms is a proposal AMS would support as one with great potential. However AMS consider the proposed roof appears 'rather heavy', and it would have a poor relationship to the original cornice of the existing side wings. AMS believe that a good conservation principle would be to keep the new roof and floors visually separate from the solid existing structure.

- The proposed north-west range, which would replace buildings of little interest, is considered to be a storey too high and is heavy in appearance in brickwork with a vertical emphasis. Either a reproduction of the south-west range or a modern glazed structure would be more appropriate. The height of the proposed new north-west

range will unbalance the symmetrical plan, especially when the whole site is seen from the City Walls.

- The proposed hotel scheme is too close to the south-west range of the station building. It is also far too high and dominant within the setting of the listed building upon which it makes a significantly adverse impact. The hotel (separate application) would block the fine view of the well detailed low south-west range by passing close in front of it.

20TH CENTURY SOCIETY

3.23 No response.

GEORGIAN GROUP

3.24 No comments as buildings constructed after 1840.

VICTORIAN SOCIETY

3.25 Formally object to the proposals in their current form due to the proposed roof and glazed end elevation. Otherwise there is support for the scheme in principle as the building has been subject to alterations that have been detrimental to its historic interest and it is presently underused. The proposal allows many of the inappropriate alterations to be reversed and a single owner will occupy the building, securing its long-term future. Detailed comments are as follows -

- Relocated train shed canopy - Ask that there be some enclosure to each side of the canopy, to re-create the sense of the original context. In particular on the south side and it is considered the hotel wall does not achieve this.

- Roof - The design of the atrium roof is deemed inappropriate. The society understand the reason for referencing railway architecture and the north light roof has logic both architecturally and environmentally but the current design is inelegant and misconceived. The design references stations such as York, St Pancras and Kings Cross which have barrel vaulted train sheds. These are a very different type of station design to York Old Station which is a rectiplanar structure. It is recommended that the atrium roof is constructed of horizontal triangular trusses rather than curved trusses. Even if a curved roof were considered appropriate, the proposal fails to deliver the impressive sweep of an unsupported arch that one would find at a real station. From the city walls the roof looks more like it belongs to an out of town business unit or retail park. This impression is not helped by the design of the glazed end wall with its over-scaled projecting rectangular arches.

- The zinc cladding (to the roof) is likely to be highly reflective and will be too prominent when seen from the city walls or across the city. Such a large roof in an incongruous material will detract from the mellow aspect of the existing buildings and will have a considerable and detrimental visual impact on the character and appearance of the conservation area. A darker and less reflective material should be used, for example, terne coated steel which has the same tonal qualities as the existing roof on the former station and other historic buildings in the conservation area.

PROTECTION OF ANCIENT BUILDINGS SOCIETY

3.26 No response.

MICKLEGATE PLANNING PANEL

3.27 Object on the following grounds -

- The overall roof/ atrium in the centre of the building is too high and obtrusive. The style seems to be a vague imitation of that of the main railway station which dates from around 30-40 years later than the West Offices, and seems to jar somewhat with the architecture of the earlier building. The Panel also felt that the overall quality of the design was poor.
- Disappointed about the extent to which the original features of the old railway station within the "quadrangle" of the main building - including the original canopies and platforms - are to be removed, relocated or concealed as part of the development. Ask for a more imaginative design to preserve these features in a meaningful and visible form.
- The trees on the SE boundary of the site are vital to the setting of this part of the West Offices and should be replaced with appropriate species.

YORK CIVIC TRUST

3.28 The Trust support the proposals, the following comments have been made over particular aspects of the scheme -

- Train Shed - ask that the roof glazed, replicating the original appearance of the glass and that the sides be spaced away from surrounding buildings, i.e. it should not be attached to the proposed hotel.
- NW extension - the extension appears contrived, in particular due to the bay windows on the end of the elevation which appear out of place. The preference would be to have a glazing pattern which is respectful of the remainder of this elevation.
- Car Parking - understand the approach for limited car parking but feel there is space for further vehicle spaces to the NW of the building. Further spaces could be provided for pool cars, or those using green technology.
- Station Rise - the area between West Offices and Cedar Court Hotel demands high quality design and presentation. It is felt further thought needs to be put into the landscaping scheme for this area.

CONSERVATION AREAS ADVISORY PANEL (CAAP)

3.29 Overall CAAP support the scheme. However comments have been made with regards the train shed roof. Whilst of the opinion that overall there was a net gain in relocation of the train shed, using the whole area as a cycle shed and excluding the

public from benefiting from viewing the roof was not the best use of the space. CAAP suggest that the new wall supporting the roof replicates the original wall.

YORK GEORGIAN SOCIETY

3.30 Object to the proposals due to the proposed re-location and use of the train shed canopy. In the opinion of the society, it is considered the chosen approach is contrary to national planning policy established in PPS5: Planning for the Historic Environment, as the development would lead to substantial harm to the heritage asset, and an alternative design/approach could be less harmful.

3.31 To dismantle the surviving original roof structure and re-erect it as cycle storage at the end of the new office block will remove all vestiges of the original platforms and track-bed, and the characteristic elements which define the original station will be obliterated. Its architectural significance and historic integrity will be compromised unacceptably and all evidence of its original function will be lost. In particular, to demolish and relocate the existing trainshed and relegate it to use as a bicycle shed is inappropriate and demeaning to an important part of the historic fabric of the building.

3.32 Alternatively the society suggest the floor layout be amended so the structure could remain in-situ. This could occur alongside information regarding the original function of the structure and the platforms. Such treatment would be exemplary, meeting an objective of PPS5, "to contribute to our knowledge and understanding of our past by ensuring that opportunities are taken to capture evidence from the historic environment and to make this publicly available".

3.33 Otherwise, whilst not as desirable, the relocated trainshed structure should be used as a public space where the story and function of the old station explained. Such treatment would be preferable to designating it for bicycle storage and while not compliant in quite such an exemplary way with the Government Objective cited, would go part-way towards meeting it.

PUBLICITY

3.34 Deadline for comments was 26.5.2010. Two letters have been received. Objections have been made on the following grounds:-

- It is considered the train shed roof structure is of significant historic interest, it should be retained in situ, and not used as a cycle store. In addition the proposed roof, due to its style also affects the historic understanding of the building.
- The proposals do not retain enough features of the present architecture in the departure area (courtyard) to give sufficient historical preservation of the original railway station.

3.35 In addition to the statutory publicity, prior to submission the applicants held public exhibition in March 2010. Comments from the exhibition are summarised as -

- Support for re-use of the site.

- Design too modern, and concern over the impact/prominence of the new roof, due to its height and the SW elevation due to its height and proximity to the city walls.
- Object to loss of internal fabric (the track levels and platform should remain distinguished) and re-location of train shed canopy (which loses its integrity due to re-location, proximity to the proposed hotel and the proposed use as a cycle store).

3.36 Letters were also received from The Georgian Society, Railway & Canal Historical Society, and Yorkshire Architectural and Archaeological Society.

3.37 The York Georgian Society and the Yorkshire Architectural and Archaeological Society both raised concerns over the impact on the original remaining fabric of the building. Of note the train-shed, and the platforms and the sunken track-bed, the latter would be overlaid to create a level floor. The preference is that these elements are retained in-situ and incorporated into the proposed building, to preserve the historic and architectural importance of the listed building.

4.0 APPRAISAL

KEY ISSUES

4.1 Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require that in considering whether to grant listed building consent for development that affects a listed building or its setting, the LPA (local planning authority) shall have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.

RELEVANT PLANNING POLICY

4.2 PPS5: Planning for the Historic Environment establishes national planning policy with regards to 'heritage assets', which includes listed buildings. The policy makes a presumption in favour of conservation, alterations must be justified. However PPS5 advises that intelligently managed change may sometimes be necessary if heritage assets are to be maintained for the long term. Where a proposal has a harmful impact on the significance of a designated heritage asset which is less than substantial harm, LPA's should weigh the public benefit of the proposal against the harm; and recognize that the greater the harm to the significance of the heritage asset the greater the justification will be needed for any loss.

4.3 When change is proposed it is the responsibility of the LPA to consider whether any adverse impact on the listed building is out-weighed by heritage benefits. The English Heritage guidance note to PPS5 advises such benefits, which can weigh in favour of a scheme, can be when a proposal -

- Sustains or enhances the significance of a heritage asset and the contribution of its setting.
- Reduces or removes risks to a heritage asset.
- Secures the optimum viable use of a heritage asset in support of its long term conservation.
- Makes a positive contribution to economic vitality and sustainable communities.

- Is an appropriate design for its context and makes a positive contribution to the appearance, character, quality and local distinctiveness of the historic environment.
- It better reveals the significance of a heritage asset and therefore enhances our enjoyment of it and the sense of place.

WHETHER ANY ADVERSE IMPACT ON THE LISTED BUILDING

DEMOLITION

4.4 Listed building consent is sought to demolish the SE end of the departure wing, the C20 office accommodation extension which fronts onto Tanner Row, an extension to the internal side of the departure building, which covers over the original elevation, the lower 2-storey additions on the SW/arrivals wing, and the two bridge links between the platform buildings, added after the 1950's. These later ad-hoc additions to the original buildings were introduced when the building was in operation as offices do not contribute to the understanding of the original use. They are functional areas with little, if any historic/architectural importance. The demolition works are supported as they integral to allowing the proposed re-use and assist in revealing the original station layout.

NEW SW WING, SOUTH (GLAZED) ELEVATION AND THE NEW ROOF

4.5 In assessing the visual impact and relationship to the listed building of the new elements, the justification/design approach for these elements has been considered (whether the resultant building is fit for purpose), along with the scale and shape, detailing, and materials of the proposed extensions. Part HE7 of PPS5 advises that LPA's should take into account the desirability of new development making a positive contribution to the character and distinctiveness of the local environment. The English Heritage guidance note to PPS5 advises that a building's contribution to its setting can be sustained or enhanced if new buildings are carefully designed to respect their setting by virtue of their scale, proportion, height, massing, alignment and use of materials.

4.6 The buildings to be demolished on the SW wing are subordinate in scale to the part of the building to be retained and are generally inconsistent in terms of the roof shape and finish and the arrangement and proportion of windows. The proposed extension's scale is comparable to the hotel building and the taller part of the departure wing opposite. The eaves level, around 15m from ground level, is around the same height as the flat roof of Hudson House where it is 4-storey. The extension does step up in eaves and ridge height from the part of the wing which is to be retained, but this is necessary to gain the required extra floorspace to be provided and can accommodate additional services w/c accommodation, avoiding the need to retro-fit the latter into the listed building. It is considered the new building, in terms of its massing, proportion and overall scale, will not appear over-dominant and will not detract from the setting of the listed building.

4.7 The extension will be of buff coloured brick, leaving only the original arrival platform building and later boardroom building above with red brick. This allows a clear definition between the station's original buildings (on this side) and later additions. The window arrangement respects the existing pattern through a linear vertical emphasis in the openings, with the size of the openings (typically) diminishing

on the upper levels. The window glazing arrangements vary in their pattern, as do windows throughout the external elevations on the existing building, in particular in the original departure platform building. There are two bay windows at the end of the extension, to allow light into the open office space within. The bay on the NW elevation introduces a contemporary element, which will draw some attention to the extension, but it would not appear unduly out of place, and alludes to the SW elevation, where a further bay sits comfortably adjacent the glazed elevation that covers the office space proposed under the new roof. The glazed end elevation is articulated with functional columns, which are positioned to refer to the location of the railway lines. The extension and closure to the end elevation will appear contemporary, the detailing and openness references the original layout of the railway station. Overall officers consider these extensions will sit comfortably with the building, improve the overall appearance in relation to the existing situation, and not detract from the historic or architectural interest of the listed building.

4.8 The roof profile allows climate control in the building, enabling natural light gain, whilst preventing glare/overheating. The roof is designed so it is fit for purpose and allows the least prominent structure; a flat roof would not allow the climate control requirements, and a pitched roof would create a far more heavy/prominent structure that would compete for attention with the main building.

4.9 The supporting structure of the roof has been designed to minimise fixings to the existing buildings. From the outside the roof will appear behind, and detached from each wing. The roof would be fixed to the buildings above the cornice, so from inside the walls of the platform buildings would otherwise be free of the roof structure. A lighter connection (suggested by the AMS) is not possible as the area requires a gutter and needs to be able to allow access onto the roof for maintenance.

4.10 The roof has been designed as an addition which is functional, fit for purpose, and of contemporary design. In accordance with PPS5, the structure is deemed to be visually acceptable, and it would not detract from the appearance or historic interest of the building.

INTERNAL AREAS

4.11 The new floor-plates have been designed so they appear as floating floors, separate from the original building's facades. The floor-plates follow the lines of the tracks and are predominantly separated in the centre, referencing the original train shed roof, which was centrally open. Physical connections to the existing elevations are limited in area and amount, but are necessary to enable permeability through the building, and inclusive access, given the variation in floor levels in the existing buildings.

4.12 The lower area where the tracks were once located is to be covered with a suspended floor. This allows a level floor and the void below will be utilised, as part of the ventilation strategy for the building. There is strong justification for the works, which are necessary to enable viable use of the building and its environmental performance. Although these internal works cover some evidence of the original station layout, officers consider the impact can be mitigated, by introducing elements in the new scheme which explain the former station use. These are explained in conservation officers comments, in 3.6, and can be secured through condition.

RELOCATION OF THE TRAIN SHED CANOPY

4.13 The remaining 3 bays of the train shed canopy frame is an integral element of the grade 2 star listed building. There would be some harm to the heritage asset because of its relocation and therefore the benefits of the proposal must be judged against the harm, as required by PPS5 (refer back to 4.2 and 4.3).

4.14 Re-location is necessary to allow level access to each floor level and if the train shed canopy were retained in-situ, the approach to climate control/energy efficiency within the building would not work. The relocation plays an integral part in securing optimum viable use of the building. Officers consider that the approach, to relocate the canopy, refurbish it, bring in into active use, display it from the public realm and assist in the understanding of the original function of the building constitutes adequate justification for this work, and the subsequent gain outweighs the harm.

4.15 The final presentation of the structure is yet to be agreed. Preference is for the structure to stay true to its original appearance, and means of enclosure. This can be secured by condition, and be subject to further consultation if deemed necessary.

4.16 Conditions can be attached, as advised by conservation officers, to cover the re-use and alterations to doors and window architraves.

ACCESS RAMP

4.16 The Station Rise entrance would gain an access ramp. This structure would be a simple addition that would not detract from the buildings appearance and historic importance.

RAILINGS

4.17 The railings that run along the Tanner Row boundary of the site terminate where they run into the 1950s extension which it is proposed to demolish. The railings are grade 2 listed. They appear to run through the brick wall of the building. How they are finished should this building be demolished, as is proposed, can be covered by condition.

HERITAGE BENEFITS

4.18 The buildings have been used as offices since closure of the railway station over 100 years ago. Almost all of the C20 alterations have had a detrimental impact on the appearance of the listed building and the quality of the office space is compromised by poor accessibility, due to various changes in levels. Refurbishment of the building will address these issues. The building is not suitable as modern office space and has suffered from reduced levels of occupancy due to this and its size. The scheme proposed would involve full occupancy of the building and secure its long term stability, the new wing and central infill being required to gain the required amount of floorspace to allow the entire scheme to occur.

4.19 The proposed facilities will assist in regenerating this part of the city and the building itself will achieve a BREEAM excellent rating, so it will operate in a sustainable manner. Given that the site will not be restored to its original use, as a railway station, the proposed retention of offices is considered the optimum viable use

of the site and overall the scheme will have significant benefits, fitting the government's objectives established in PPS5, identified in 4.2 and 4.3.

5.0 CONCLUSION

5.1 The proposed development delivers considerable heritage benefits, as set out in PPS5: Planning and the Historic Environment and the companion English Heritage guidance note, principally by securing the long term optimum use of the building and improving its environmental performance and accessibility. There are some proposed alterations of original fabric, in particular that the train shed canopy structure has to be moved, and the area where the tracks once stood becomes a level floorspace, but these are necessary changes. As required by PPS5, these elements would be recorded prior to alteration. However the overall benefits significantly outweigh the harm that would occur and therefore officers recommend consent be granted.

5.2 The application will need to be referred to the Government Office as the Victorian Society, one of the national amenity societies, have formally objected to the proposal.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve following referral to Secretary of State

- 1 TIMEL2 Development start within 3 yrs (LBC/CAC)
- 2 Development to be carried out in accordance with the approved plans.
- 3 Samples of the materials to be used (including proposed internal floor) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The development shall be carried out using the approved materials.

Reason: In the interests of the appearance of the listed building.

4 A Method Statement for the dis-mantling and re-erection of the remaining parts of the train shed shall be provided prior to such works commencing. The statement shall include a sequence of works which shows how this element of the contract would fit with overall contract programme. It shall specify measures for protecting the train shed during the course of works. The statement shall be supplemented with drawings showing the setting out of the structure in relation to the existing building and new extensions. 1:20 and 1:5 elevational, sectional and detailed drawings shall be provided to illustrate the how the pre-fabricated elements will be integrated with the new wall and columns and the new roof covering. The proposed roof covering and location of internal fittings shall be subject to approval by the Local Planning Authority. No work shall commence before the structure has been fully recorded in accordance with an archaeological recording specification approved by the Local Planning Authority.

Reason: To ensure the heritage asset is recorded and protected in accordance with PPS5: Planning and the Historic Environment.

5 A set of final elevation drawings for the inner walls of the courtyard shall be provided prior to occupation of the building. Drawings shall be supplemented by large scale details showing any proposed alterations to windows and window openings, including measures to provide additional guarding.

Drawings shall show any changes to wall finishes, including proposals for the newly constructed walls. Areas identified for paint removal, cleaning and re-pointing shall be illustrated on the drawings. Specification of materials and methods shall be supplied for agreement and such work shall not progress before trial samples have been agreed.

Reason: In the interests of the appearance of the listed building.

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

a) The extent of alterations to walls, floors, ceilings and windows in each area.

(Generally each area will include several rooms, with separate drawings showing "before" and "after" conditions for comparison purposes. Unusual features such as bell pulls, special vents, wooden bracket fixtures (board room), register plates and speaking tube apparatus etc shall be identified on proposal drawings, along with reflected ceiling plans, showing any adaptations to existing cornices, any ductwork or other items of fixed plant and equipment, the suspended floors and any significant impacts. The booking office shall be the subject of its own full set of existing and proposal drawings at 1:50 and 1:5 scale. Details of the new entrance doors and their opening mechanisms shall be provided, illustrating how the doors would be integrated with existing walls. Finishes and lighting shall be specified).

b) Partitioning systems. Partitions shall be transparent, unless otherwise required, to retain the openness of the spaces. Partitions and other insertions shall be scribed around existing details.

Reason: In the interests of the appearance of the listed building.

7 Large scale details of the new doors and a drawing schedule of the new and retained doors (internal and external) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the works shall be carried out in accordance with the approved details.

Reason: In the interests of the appearance of the listed building, and to rationalize the use of historic internal doors in meaningful places according to type and fit.

8 Disturbed areas of the existing fabric shall be made good in materials and details matching adjacent surfaces.

Reason: In the interests of the appearance of the listed building.

9 Large scale details showing how the new floor would be introduced into the central area shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the works shall be carried out in accordance with the approved details.

Details shall include sections and floor plans, the location of any structure, plant and service outlets. Floor finishes shall be illustrated and samples provided for approval. The interior scheme shall assist with interpreting the former use of the building with materials chosen and finishes designed to respond to the robust large scale nature of this industrial building.

No work shall commence before the area has been fully recorded in accordance with an archaeological recording specification approved by the Local Planning Authority.

Reason: In the interests of the appearance of the listed building, and to contribute to the understanding of the railway use/heritage asset, in accordance with the objectives of PPS5.

10 Large scale details of the items listed below related to the area between the platform buildings shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the works shall be carried out in accordance with the approved details.

a) Each of the different connection points for the new structure. Existing cornices shall be visible from within the space. Clerestory windows and rooflights shall be specified.

b) The structure forming the new floor-plates in the central zone. To include the bridge links and staircases and their balustrades, and lifts. Staircases shall be placed free of the historic walls. Abutment positions between new and old fabric shall aim to have a negative detail to visually separate the structures.

c) The new SW facing glazed end wall showing how the inverted U-shaped elements would be integrated with the wall and how abutment details with the side wings would be handled.

d) All brise-soleil.

Reason: In the interests of the appearance of the listed building.

11 Large scale details of the extension to the SW wing shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the works shall be carried out in accordance with the approved details. Details shall illustrate: typical sections through external walls, with window and door reveals, cills, heads, eaves and cornices provided at large scale.

Reason: In the interests of the appearance of the listed building.

12 Details of the acoustic and fire-strategies shall be provided illustrating any fixed equipment, finishes or other requirements which might affect the character of the

building (e.g. sprinkler system). Details shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the works shall be carried out in accordance with the approved details.

Reason: In the interests of the appearance of the listed building.

13 Details for integrating the requirements of the environmental performance strategy into the building to be provided for approval, illustrating how the interventions would affect the existing building fabric. Details shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the works shall be carried out in accordance with the approved details.

(Information shall include illustrations or samples of requirements for plant, delivery and storage areas, the new chimney, typical ductwork runs and types and equipment such as radiators, vents, etc. It is desirable to restore the chimneys to their as-built form).

Reason: To assess the impact of such, and minimise the effect on the character of the listed building.

14 Details of CCTV and signage (when the latter would be physically fixed to the building), shall be supplied to and approved in writing by the Local Planning Authority prior to installation, and installed in accordance with the approved plans. CCTV shall include manufacturers details, location and any associated fixing.

Reason: In the interests of the appearance of the listed building.

15 A schedule of repairs shall be provided for any items deviating from a "like for like" repair approach.

Reason: In the interests of the appearance of the listed building.

16 A survey and audit of existing landscape materials and fixed structures (bollards, pavement lights, lamps etc) shall be carried out prior to works commencing. The landscape scheme shall be revised to incorporate these elements where they are a valuable part of the inheritance of the site and important to the setting of the building, and be submitted to an approved in writing by the Local Planning Authority and the works carried out accordingly.

Reason: In the interest of the setting of the listed building.

17 The destination of the late C19th timber pre-fabricated structure proposed for relocation shall be provided along with details of how it will be dismantled, taken to its new site and re-erected. Any works shall be preceded by a level 1 photographic recording (English Heritage standard) showing the building in context. The information shall to be submitted to the Local Planning Authority in an agreed format prior to works commencing, and the works shall occur in accordance with the approved details.

Reason: In the interests of the historic importance of the listed building, and to

contribute to the understanding of the railway use/heritage asset, in accordance with the objectives of PPS5.

18 Prior to occupation of the building as approved, should the 1950's office building that fronts onto Tanner Row be demolished, a method statement for making good the railings shall be submitted to the Local Planning Authority, approved and the works carried out in accordance with the approved details.

Reason: In the interests of visual amenity and treatment of the railings, which are grade 2 listed.

7.0 INFORMATIVES:

Notes to Applicant

1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, as it would secure the long-term optimum viable use of a grade 2 star listed building currently at risk, and as the works proposed would not have an undue impact on the heritage asset, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the character, appearance and setting of the listed building. As such the proposal complies with PPS5: Planning For the Historic Environment and Policy HE4 of the City of York Development Control Local Plan.

Contact details:

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Tel No: 01904 551323

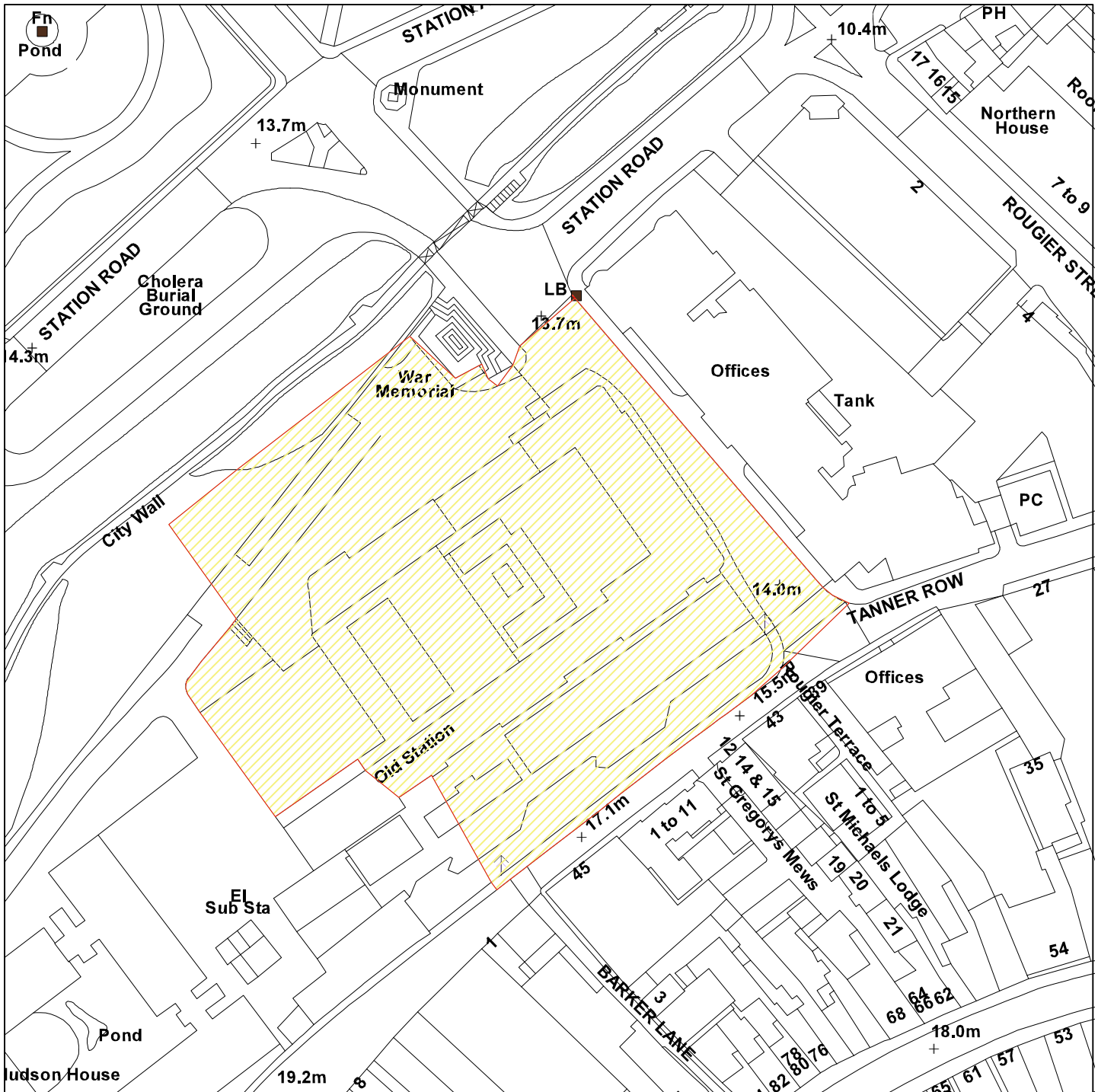
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West Offices, Station Rise,

10/00614/LBC



GIS by ESRI (UK)



Scale : 1:1250

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Organisation	City of York Council
Department	Planning and Sustainable Development
Comments	
Date	14 June 2010
SLA Number	Not Set

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COMMITTEE REPORT

Committee: Main Planning **Ward:** Micklegate
Date: 24 June 2010 **Parish:** Micklegate Planning Panel

Reference: 10/00615/FULM
Application at: West Offices Station Rise York YO1 6HT
For: New 6 storey hotel building fronting Toft Green
By: York Investors LLP
Application Type: Major Full Application (13 weeks)
Target Date: 9 July 2010
Recommendation: Approve

1.0 PROPOSAL

1.1 This application relates to the SE corner of the West Offices site where there is presently a vacant office building, dating from the mid C20. The building fronts onto Toft Green and is of brick and coloured panel construction, with a flat roof. It appears as single storey from Toft Green and has a 1st floor 'bridge' link which connects to the SE end of West Offices. The application site includes land to the NE of the building, terminating around 2m before Barker Lane, where there are 2 wooden sheds and landscaping between West Offices and Toft Green.

1.2 Hudson House, a 1960's office block finished in pre-cast concrete, with exposed aggregate, varying in height between 4 and 6 storeys, and the associated space around that building are SW of the application site. The site is within the Central Historic Core conservation area, West Offices is a grade 2 star listed building and the associated railings are listed at grade 2.

1.3 This application is for a 120 bedroom hotel, that would achieve a BREEAM excellent rating. The building would be T-shaped, set back between 4.5m and 2.5m from Toft Green. The portion of the hotel fronting Toft Green would be 6-storey in height, with the ground floor below street level, the top of the building would be level with the uppermost part of the top row of windows on Hudson House. The rear portion would step down to 4-storey. It is also proposed to install a sub-station and services building, this would be 2-storey, and sit between the proposed building and Hudson House. The buildings would be finished in light brick and zinc. The front elevation of the hotel would be split into three vertical elements, a pronounced central area clad in brick with a stone surrounded entrance and two bay windows, flanked by two ends that would be glazed up to 3rd floor level, with zinc panels above.

1.4 The demolition of extensions to West Offices, required to enable this building, are the subject of application 10/00614/LBC.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Areas of Archaeological Interest GMS Constraints: City Centre Area
Conservation Area GMS Constraints: Central Historic Core

Listed Buildings GMS Constraints:

- Grade 2 Star; York Old Station And Hotel Toft Green
- Grade 2; Gates, Gate Piers And Railings To Old Station

2.2 Policies:

CYSP7A	The sequential approach to development
CYSP7B	York City Centre and Central Shopping Area
CYGP1	Design
CYGP3	Planning against crime
CYGP4A	Sustainability
CYHE2	Development in historic locations
CYHE3	Conservation Areas
CYHE10	Archaeology
CYT4	Cycle parking standards
CYE3B	Existing and Proposed Employment Sites
CYV3	Criteria for hotels and guest houses

3.0 CONSULTATIONS

CITY DEVELOPMENT

3.1 Report that the hotel is to be built in place of existing offices. Officers are advised therefore to consider whether there is demand for the existing offices, and whether alternatives are available, as required in policy E3b of the DLP. The sustainability credentials and the historic setting should also be considered in assessment of the application.

DESIGN, CONSERVATION AND SUSTAINABLE DEVELOPMENT

3.2 Support the scheme. As originally submitted the materials and massing of the proposed building gave rise to concerns in relation to its effect on the character and appearance of the conservation area. The main elevations were predominantly of zinc metal cassette cladding. Although the proposed cladding material is an expensive high quality material, which is designed to perform well over time, it only has precedent as an accent material in the conservation area. The amount of brickwork was considered insufficient to assist in integrating the building into its environment. In addition the building was composed of quite separate large scale elements - cladding, brickwork and extensive glazing with pronounced horizontal brise-soleil - which contrasted with the formally composed masonry design of the principal elevation of the former railway station.

3.3 The scheme has been re-designed to increase the use of brickwork and to use this in combination with horizontal stone banding to strengthen the relationship with West Offices as seen within the courtyard. The brise-soleil would hang vertically and be integrated with the rhythm of the glazing system. The amount of zinc cladding has been reduced.

3.4 The focus of the elevation on Toft Green would be the central area which would be entirely built of buff/yellow brickwork. Vertical bands of windows would be interrupted

by the larger scale of the bay windows and the entrance canopy which would break forward in the streetscape. The zinc finish would be used to divide the building vertically as in a typical city centre street. When used as a book-end to the principal elevation of the hotel facing Toft Green, the zinc cladding would reflect the modelling of the panel system of Hudson House whilst offering greater tonal variety and texture. The glazed corner would reveal the main elevation of the West Offices sooner (a device used with St Helen's Church and the adjacent building on Davygate).

3.5 The scheme adopts the approach of the other independent large scale contemporary structures typical of this sector of the conservation area. The use of varied massing with traditional materials would help to integrate this high density hotel building into its immediate context, in particular adjacent to the historic railway station. Modern materials have been used in conjunction with traditional ones to create a high quality finish resulting in a building which would respond to its context whilst also being of its time. As such the scheme has been designed in accordance with CABE/English Heritage guidance as set out in "Building in Context" published in 2001, the scheme also accords with policy PPS5 as the development would not detract from the setting of West Offices and would improve the appearance of the conservation area.

DRAINAGE

3.7 No objection. The development is in low risk Flood Zone 1 and should not suffer from river flooding. It is asked that final drainage details, which show a reduction in surface water run-off, are supplied by condition. Run-off should be 70% of the existing rate.

ENVIRONMENTAL PROTECTION UNIT

3.8 No objections to this application, recommend the following conditions: -

- Environmental Management Scheme for minimising the creation of noise, vibration and dust during the demolition, site preparation and construction phases to be developed and adhered to. Recommend that works only occur during daytime hours.
- Details of required plant and machinery to be provided, to show when running, they would not cause noise disturbance and of kitchen extraction, to prevent odour creation.
- Control hours of deliveries as these would occur from Toft Green, near residential properties.
- The building should be adequately insulated, to protect occupants from outside noise disturbance.
- Any unexpected contamination to be reported.

HIGHWAY NETWORK MANAGEMENT

3.9 No objection. Ask that the occupants of the building prepare a travel plan and advise that they will be required to finance alterations to the highway network to accommodate the servicing area to be created on Toft Green. A construction management plan is also requested, to cover affects to the highway network during construction.

3.10 Officers accept the proposed amount of car parking (restricted to 2 disabled spaces) as the site is in a highly sustainable/accessible location. The surrounding highways are protected by various restrictions that would control on-street parking and it has been demonstrated there is capacity to accommodate vehicles, if necessary, in council operated car parks. Furthermore there may also be capacity for parking at the nearby multi-storey car park in Tanner Row.

EXTERNAL

CONSERVATION AREAS ADVISORY PANEL

3.11 CAAP have expressed concern over the use of zinc cladding on the building, as they consider the material alien to York, and the Central Historic Core conservation area. It is also felt the light brick colour is atypical of the area. CAAP think an outside space/café area for use by the hotel and offices at the rear of the hotel under the trainshed canopy roof would be a better use of the space than the proposed cycle store.

ENGLISH HERITAGE

3.12 No objection to the footprint and height of the scheme. In considering the revised scheme EH consider the building would sit comfortably along Toft Green due to the revised detailing and the proportions and use of light brick and soft grey coloured zinc as external materials. EH only concern is over the garden/courtyard facing elevation, where they feel vertical shaped windows would better compliment the setting. Also it would be preferable if the building had a horizontal emphasis and closer relationship to the appearance of the arrival wing of west offices.

SAFER YORK PARTNERSHIP

3.13 Raise no objection to the application. The scheme has been designed with consideration given to designing out crime and an application has been made for Secured by Design status.

VISIT YORK

3.14 No response.

YORK CIVIC TRUST

3.15 The trust consider the proposed hotel would have an adverse effect on the setting of West Offices. It is considered the footprint of the hotel makes the building intrusive, it would be too close to West Offices and also the relocated canopy. The trust consider the canopy should be a detached structure. The railings along Tanner Row are grade 2 listed and thought has not been given as to the impact on the railings and their resultant treatment.

YORKSHIRE WATER

3.16 It is proposed to connect to the existing sewer on Tanner Row, Yorkshire Water require full details of the connection to be agreed.

MICKLEGATE PLANNING PANEL

3.17 Object. Consider the proposed hotel is too large in terms of its footprint. The section of the hotel extending to the north east obscures part of the vitally important south east elevation of the West Offices. This takes away from the symmetry and harmony of the elevation. In terms of height, the panel believe that the hotel overshadows and dominates the West Offices and should be at least two storeys lower.

PUBLICITY

3.18 Deadline for comments was 26.5.2010. In addition to the statutory publicity, prior to submission the applicants held public exhibition in March 2010. Objections made are on the following grounds:-

- Overdevelopment of the site - in terms of the relationship with the former railway station building and proposed re-positioning of the train shed.
- Servicing from Toft Green appears inadequate.
- Lack of car parking, being restricted to disabled spaces only.

3.19 Amenity societies have been consulted on the companion listed building consent application at West Offices and have subsequently commented on this proposal. Relevant comments, which relate to the scheme before it was amended, are as follows

-

The Ancient Monuments Society (AMS)

3.20 Object. Consider the hotel will have an adverse effect on the setting of West Offices. It is felt the building is too close to the south-west range of the station building, far too high and dominant within the setting of the listed building upon which it makes a significantly adverse impact. The hotel would block the fine view of the well detailed low south-west range by passing close in front of it.

Victorian Society

3.21 Object, consider the design of the hotel will have a harmful effect on the character and appearance of the conservation area and on the setting of the grade 2 star listed Old York Station. Consider a building of modern design would be appropriate at this site, but this building would appear out of context due to the large expanses of metal cladding and glass, which are not common features of the conservation area and certainly not on the scale proposed.

4.0 APPRAISAL

4.1 The key issues regarding this planning application are deemed to be:

- Whether a hotel on this site fits with planning policy.
- The impact of the proposed building on its surroundings, including the Central Historic Core conservation area and the setting of West Offices, which are grade 2 star listed.
- Amenity.
- Sustainable design and construction.

- Highway network management.
- Drainage and flood risk.
- Archaeology.

PRINCIPLE OF THE PROPOSED DEVELOPMENT

4.2 Hotels are considered as a town centre use under national policy PPS4: Planning for Sustainable Economic Growth. PPS4 advises such proposals should be considered favourably, provided they secure sustainable economic growth. Factors to consider are: whether the development provides resilience to climate change, accessibility by a choice of transport, high quality design - which improves the character of the area, and the impact on employment and physical regeneration of the area. Policy V3 of the DLP relates to new hotels. It also advises that such developments should be compatible with their surroundings and accessible by public transport and within walking/cycling distance of the city centre or other visitor attractions. Policies SP6 and SP7 seek to direct hotel developments to brownfield land (previously developed land) within the defined city centre.

4.3 In terms of the location factors outlined in 4.2, the proposed hotel fits with national policy and policies of the DLP; the site is brownfield/previously developed land, within the city centre, as defined in the DLP. The hotel building would bring further activity to the area and generally would enhance its vitality and viability, therefore assisting in regeneration, and improving the character of the area. The building is of high quality design and will be sustainable, achieving a BREEAM excellent rating. It is considered there would not be an undue impact on the setting, (this issue is discussed further elsewhere in the report) and overall the scheme is consistent with PPS4, and DLP policy V3.

4.4 Policy E3b of the DLP advises that buildings in, or previously in employment use shall be retained as such, unless there are adequate alternative sites to meet requirements, and the proposed use has employment benefits. This application has been submitted alongside the application for redevelopment of the remainder of the West Offices site. Overall there is a net increase in office floorspace of 6,674 sq m. The floorspace offered will be a significant improvement on the existing supply. The existing space does not meet modern standards, as such and in part due to the layout, portions of the building are frequently vacant and the building has become dilapidated over time. This has put the future of the listed building at risk and is not a prudent use of land. There are a mix of alternative office spaces available in the city centre, both in size and type. The employment section of the DLP, where policy E3b is located, advises that the objective of the DLP are to stimulate the local economy, protect and enhance existing jobs, provide employment opportunities to meet the needs of local employers and achieve increased sustainability in employment premises. The hotel use is a form of economic development, which provides job opportunities, and the overall the proposed redevelopment of the site complies with the objectives of the DLP.

IMPACT ON THE SETTING

4.5 In considering whether to grant planning permission for development that affects a listed building or its setting, according to (Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the LPA is required to have

special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Section 72 of the act advises that in considering whether to grant planning permission with respect to any buildings or other land in a conservation area, the LPA shall pay special attention to the desirability of preserving or enhancing the character or appearance of that area. This is re-iterated in policies HE2 and HE3 of the DLP.

4.6 PPS5: Planning for the Historic Environment advises that LPA's should take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials and use.

MASSING/SCALE

4.7 There is a mix in building form in the immediate area, between Toft Green and the City Walls are large scale office buildings whereas the buildings on the opposite side of Toft Green vary between 3-storey buildings adjacent and lower storey outbuildings, constructed toward the rear of the plots of the buildings that front onto Micklegate.

4.8 The proposed building would be of comparable height to Hudson House when viewed from the street, and like that building it would be set back from the pavement, and steps down to 4-storey at the rear/city walls side. The eaves level on the rear portion of the building being comparable to the eaves height of the platform buildings on West Offices. The SE elevation of West Offices is staggered in height. The front portions of the hotel building would be either 4m or 6m higher than the eaves level of the SE elevation of west offices. West offices are setback from the street, whereas the proposed building would front onto the street. The buildings would be around 8m apart. This extent of separation and variation in height is common in the Central Historic Core Conservation Area, subsequently, the proposed development, of such a height, can be accommodated without unduly detracting from the appearance and setting of West Offices.

4.9 Because of the building's T shape, it would intrude in-front of the 2-storey end of the departure block building. This is deemed acceptable because -

- This end part of the departure block building is of less architectural importance than the remainder of the elevation. It was not part of the architect's (GT Andrews) scheme. Originally the building in this area was single storey and setback further from the main elevation. The first floor was added, and the building was extended forward in the 1850's.
- The buildings would be around 8m apart, giving more space around the listed building than the structures it is proposed to replace. Such distances between buildings of variable heights is typical of the Central Historic Core conservation area.
- Views of the departure building are presently concealed by the C20 extension and timber huts (both of which it is proposed to replace) and the trees in the courtyard area. As such the departure building can only be seen from Barker Lane and Tanner Row, and not from Toft Green to the SW. Despite the footprint and position of the proposed building, there would be no loss of views of West Offices.

4.10 The hotel would sit between Hudson House and West Offices and be of comparable height to its neighbours. It would be 17m from Hudson House, and this gap would preserve views of the grade 1 listed Holy Trinity Church Tower (located beyond Micklegate) from the city walls.

4.11 Overall officers consider the footprint and massing of the building are acceptable, the building would respect its context and not detract from the appearance of the conservation area, and the setting of West Offices.

MATERIALS AND DETAILING

4.12 Predominantly light brick (to match that used on the proposed extension to West Offices) and a light grey zinc are proposed. The lower 3 levels at the ends and side of the front portion of the building would be glazed, as will its top floor, at the rear where it faces the walls. The scheme has been revised to increase the use of brickwork and to use this in combination with horizontal stone banding to strengthen the relationship with West Offices. The cladding material proposed is an expensive high quality material which is designed to perform well over time. Red or orange brick is predominant in the Central Historic Core, but in not in this immediate context. The light brick and zinc finish chosen are intended to let the building sit comfortably between West Offices and Hudson House and officers consider this would be achieved.

4.13 The focus of the elevation on Toft Green would be the central area which would be entirely built of buff/yellow brickwork. Vertical bands of windows would be interrupted by the larger scale of the bay windows and the entrance canopy which would break forward in the streetscape. The cladding would be used to divide the building vertically as in a typical city centre street. The cladding would reflect the modelling of the panel system of Hudson House whilst offering greater tonal variety and texture. The design follows the principles adopted for the extension to West Offices, using deeply recessed windows (and this would apply to the central opening also). Officers consider the detailing and materials proposed are high quality. The building would appear of its time, and not out of context. The railings along Tanner Row presently run into the building which it is proposed to demolish. A condition is proposed in the listed building consent application, which covers the demolition of the building, for making good to the railings.

AMENITY

4.14 Because of the uses of the buildings on the opposite side of Tanner Row, the key amenity impacts are upon Hudson House and the West Offices. At its nearest point the building would be 17m from the side elevation of Hudson House. At this point the buildings will be of comparable height. Such a separation distance for buildings of this height is typical in this part of the city centre, for example George Stephenson House to Hudson House is around 17m, West Offices to former NER hq is 13-17m and NER hq to Northern House is around 20m, and to this extent the building would not appear overdominant over Hudson House.

4.15 An assessment has been undertaken, following BRE (Building Research Establishment) guidelines with regards possible overshadowing. The study found that a 'minor' increase in overshadowing of Hudson House would occur, however this would cease by 8am. The front elevation of the nightclub and the attached

office/storage building on the opposite side of Tanner Row/Toft Green (so SE of the proposed hotel) would suffer a 'significant' loss of daylight as a consequence of the proposed building in the afternoon. The storage building is 2-storey and at ground floor level only has a single window, windows on the nightclub are boarded up and light gain to both buildings is currently affected due to the trees on the application site. As a consequence of the amount of overshadowing that already occurs due to the trees at West Offices, which the proposed hotel would replace, and considering the use of the affected buildings, it is considered a loss of daylight on these premises is not grounds to refuse the application.

4.16 Some overshadowing would occur over the south end of the West Offices building, at this point the building is 2-storey, the end area affected proposes a large open office space, with a dual aspect toward the garden and into the internal area. This area has been obscured significantly by the timber hut that has stood in front of the building since the turn of the C20. The proposed building gives the wing more separation than previously and the end of the wing is opened up due to the removal of a C20 addition to the wing. Overall, the proposed arrangement does not have an undue adverse affect.

4.17 The applicants have considered the amenity and noise levels within the building and will construct the envelope accordingly. Given that the site is in the city centre, and considering the surrounding uses if it not deemed necessary to restrict delivery times or use of the garden area.

SUSTAINABILITY

4.18 Policy ENV5 of the Regional Spatial Strategy (RSS) advises that commercial developments of over 1,000 sq m should obtain at least 10% of their energy from decentralised renewable or low-carbon resources, unless it can be demonstrated this is unviable or unfeasible. The council's interim planning document on sustainable design and construction (IPD) asks that commercial developments of over 500 sq m floorspace achieve a BREEAM rating of at least very good.

4.19 The proposals meet the requirements of policies ENV5 and York's IPD as the aspiration is that the hotel building achieves a BREEAM excellent rating, with over 10% of energy demand obtained from renewable resources. The building will be energy efficient and generate its own energy through the installation of photovoltaic and solar panels on the roof and air source heat pumps, which are expected to provide around 75% of the buildings energy requirement. The requirement for an adequate BREEAM rating can be secured through condition.

HIGHWAY NETWORK MANAGEMENT

4.20 Policy SP8 of the DLP seeks to reduce dependence upon the car. It is suggested this occurs through locating large scale development close to bus routes and pedestrian and cycle networks and through the provision of cycle parking. The objectives of the DLP and PPG13: Transport (national planning policy) are to promote accessibility to jobs by public transport, walking and cycling and to reduce the need to

travel, especially by car. Policy T4 of the DLP requires appropriate cycle parking provision, T5 asks that developments do not have an adverse effect on road safety and T13a requires developments to adopt a travel plan when over 30 employees are likely to be employed.

4.21 Car parking spaces are restricted to 2 spaces, which will be for disabled persons. The intention is that persons are discouraged from private car use, instead using more sustainable modes of transport. This is realistic given the proximity of the site to the railway station. The applicant's transport statement advises there is capacity at the nearest council run car parks, Nunnery Lane and South Esplanade to accommodate additional demand, should it occur, and also, due to the location of the site, there are other car parks (council and private) within walking distance of the proposed hotel.

4.22 Servicing will occur from Toft Green, with the existing taxi rank relocated to allow this to occur directly outside the building. One on-street car parking space would be lost. There is adequate space for servicing to occur and no evidence that such would cause undue harm to highway safety, or have a material impact on the highway network.

4.23 It is proposed to provide 12 staff cycle spaces below the entrance bridge. The amount of spaces proposed is level with the minimum requirement established in the DLP (1 space per 10 guest rooms), however there is space for expansion if necessary. Furthermore the hotel can be required, through condition, to produce a green travel plan, and further cycle spaces required in future if necessary.

DRAINAGE

4.24 The application site is within flood zone 1 where PPS25: Planning and Flood Risk advises that all types of development are appropriate, as the risk of flooding in such areas is deemed to be low. Policy GP15a of the DLP advises that in new development, discharges should not exceed the capacity of the sewer system and surface water run-off should not exceed the existing rate.

4.25 It is proposed to control foul and surface water discharge from the hotel via storage tanks that would be located under the relocated train shed canopy behind the building. The system will enable a controlled discharge of surface water and achieve the preferred 70% reduction in run-off from existing rates. Overall there will be no increased flood risk as a consequence of the proposal.

ARCHAEOLOGY

4.26 The site is within the city centre area of archaeological importance. Policy HE10 of the DLP seeks to preserve important archaeological remains and requires that applications demonstrate no more than 5% of archaeological deposits are disturbed or destroyed during works. An evaluation has been carried out onsite which informs that although there are archaeological remains preserved on parts of the site, the degree of survival is poor. Compliance with policy HE10 can be secured through conditions that would require a watching brief on groundworks and that a foundation design, and statement of working methods be supplied, and adhered to, that would preserve 95% of archaeological deposits on the site.

5.0 CONCLUSION

5.1 The application site presently accommodates a building which has a negative visual impact on the conservation area. As such there is scope for redevelopment of the site, and a hotel building would fit with planning policy (PPS4) and aid in the regeneration of the site. The proposal constitutes a contemporary approach which, due to the proposed building's footprint, scale, materials and design would respect its context and not detract from the setting of the adjacent grade 2 star listed West Offices and the character and appearance of the conservation area. It is also welcome that the scheme aspires to achieve a BREEAM excellent rating, exceeding present planning policy targets. Issues regarding the final design, highway network management, drainage and archaeology can be secured through conditions. It recommended planning permission be granted.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

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

LIST OF APPROVED DRAWINGS

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

3 Prior to occupation of the building hereby approved a formal BREEAM assessment or equivalent, for the design and procurement stages for the building hereby approved shall be submitted to the Local Planning Authority. The assessment shall be followed by a BREEAM post construction review to be submitted after construction at a time to be agreed in writing by the Local Planning Authority. All assessments shall confirm the minimum 'Very Good' rating, or equivalent, be agreed to in writing by the Local Planning Authority and the development implemented accordingly.

Reason: In the interests of sustainable development, in accordance with the requirements of policy GP4a of the Draft Local Plan and the Council's planning guidance Interim Planning Statement (IPS) on Sustainable Design and Construction.

4 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 the development. A sample panel of the brickwork to be used on this building 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 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. The development shall be carried out using the approved materials.

Reason: So as to achieve a visually cohesive appearance.

5 Large scale details of the external elevations and roof, to show how articulation and modelling will be achieved, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the works shall be carried out in accordance with the approved details.

Reason: In the interests of the appearance of the building and its contribution to the conservation area setting.

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

- a) Entrance canopy
- b) Entrance steps and bridge
- c) Windows and window surrounds
- d) Bay windows
- e) External doors and door openings and gates
- f) Cladding details
- g) Stone banding
- h) Eaves Cappings
- i) Glazing system and integrated brise-soleil
- j) Integration of solar passive equipment on roof
- k) Any grills/vents to be integrated with the elevations
- l) Railings along Tanner Row
- m) Plant and equipment external to the building, including proposals for screening
- n) CCTV

Reason: Reason: In the interests of the appearance of the building and its contribution to the conservation area setting.

7 No development shall take place until there has been submitted and approved in writing by the Local Planning Authority a landscaping scheme, which shall include details of any permanent outside furniture and overall integration with the garden area to West Offices (the proposed intermediate hedge shall be removed).

This scheme shall be implemented within a period of six months of the completion of the development. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless alternatives are agreed in writing by the Local Planning Authority.

Reason: In the interests of the appearance of the conservation area and setting of West Offices.

8 The area shown as cycle storage on drawing D-3103 shall be retained for such use at all times, unless otherwise agreed in writing by the Local Planning Authority. Adequate space for a least 12 cycles shall be provided prior to first use of the building,

and retained thereafter, using Sheffield type stands or similar, spaced at 1m intervals (minimum), and the space shall be covered.

Reason: To provide adequate secure and covered cycle parking facilities, as required in the Local Plan and in accordance with the thrust of PPG13: Transport.

9 The site shall not be occupied until a travel plan has been submitted and approved in writing by the Local Planning Authority. The travel plan shall be developed and implemented in line with local and national guidelines. The site shall thereafter be occupied in accordance with the aims, measures and outcomes of said Travel Plan. Within 12 months of occupation of the site a first year travel survey shall have been submitted to and approved in writing by the Local Planning Authority. Results of yearly travel surveys shall then be submitted annually to the authority's travel plan officer for approval.

Reason: To reduce private car travel in accordance with PPG13: Transport, and policy T13a of the City of York deposit Draft Local Plan.

10 The use hereby permitted shall not occur until adequate measures to allow servicing of the building (for deliveries etc) have been submitted to, approved in writing and carried out in accordance with the approved details.

Reasons: In the interests of highway safety.

11 Music emanating from the premises shall be inaudible at the nearest noise sensitive facade and no external speakers shall be mounted outside the premises.

Reason: to protect the amenity of surrounding occupants.

12 Waste, including any recyclables shall be stored within the areas annotated on the approved plans, not in any external areas.

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

13 Details of all machinery, plant and equipment to be installed in or located on the use hereby permitted, which is audible outside the application site, shall be submitted to the local planning authority for written approval. These details shall include maximum ($L_{Amax(f)}$) and average sound levels (L_{Aeq}), octave band noise levels and any proposed noise mitigation measures. All such approved machinery, plant and equipment shall not be used on the site except in accordance with the prior written approval of the local planning authority. The machinery, plant or equipment and any approved noise mitigation measures shall be fully implemented and operational before the proposed use first opens and shall be appropriately maintained thereafter.

Reason: To protect the amenity of local residents and businesses.

14 Any extraction system fitted in association with the use hereby approved must be adequate for the treatment and extraction of fumes so that there is no adverse impact on the amenities of nearby occupants by reason of fumes, odour or noise. Details of the extraction plant or machinery and any filtration system required shall be submitted to the Local Planning Authority for approval. The extraction system shall be

installed in accordance with the approved plans, appropriately maintained thereafter and fully removed once its use has ceased.

Reason: To safeguard the amenity of surrounding occupants, in accordance with policy S6 of the City of York Draft Local Plan

15 Development shall not begin until details of foul and surface water drainage works have been submitted to and approved in writing by the Local Planning Authority, and carried out in accordance with these approved details.

The drainage scheme shall demonstrate that the minimum finished floor level shall be no lower than 10.50m AOD and peak run-off is attenuated to 70% of the existing rate (based on 140 l/s/ha of proven connected impermeable areas). Storage volume calculations, using computer modelling, for run-off shall accommodate a 1:30 year storm with no surface flooding, along with no internal flooding of buildings or surface run-off from the site in a 1:100 year storm. Proposed areas within the model shall also include an additional 20% allowance for climate change. The modeling shall use a range of storm durations, with both summer and winter profiles, to find the worst-case volume required.

Reason: To prevent flood risk.

16 Prior to commencement of the development, an Environmental Management Scheme for minimising the creation of noise, vibration and dust during the demolition, site preparation and construction phases of the development shall be submitted to and approved in writing by the Local Planning Authority. All works on site shall be undertaken in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

Reason. To protect the amenity of local residents and businesses

17 Prior to development commencing, a detailed method of works statement identifying the programming and management of site clearance/preparatory and construction works shall be submitted to and approved in writing by the Local Planning Authority. The a statement shall include at least the following information;

- measures to prevent the egress of mud and other detritus onto the adjacent public highway
- a dilapidation survey jointly undertaken with the local highway authority
- the routing for construction traffic that will be promoted
- a scheme for signing the promoted construction traffic routing

Reason: To ensure that the development can be carried out in a manner that will not be to the detriment of amenity of local residents, free flow of traffic or safety of highway users.

18 ARCH2 Watching brief required

19 ARCH3 Foundation design required

20 In the event that contamination is found at any time when carrying out the approved development, the findings must be reported in writing immediately to the

Local Planning Authority. In such cases, an investigation and risk assessment must be undertaken, and where remediation (clean-up) is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination 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 safety and health risks.

7.0 INFORMATIVES:

1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the setting of West Offices, the character and appearance of the conservation area, amenity, highway safety, archaeology and flood risk.

As such the proposal complies with national policy established in PPS1, PPS4 and PPS5 and Policies SP7A, SP7B, GP1, GP3, GP4A, HE2, HE3, HE10, T4, E3B and V3 of the City of York Development Control Local Plan.

INFORMATIVE:

You are advised that prior to starting on site consent will be required from the Highway Authority for the works being proposed, under the Highways Act 1980.

It is proposed to amend the waiting restrictions on the adjacent highway in order to maintain the existing taxi rank and pay and display bays, whilst also creating a new goods vehicle loading bay which will enable servicing to take place for the hotel. The changes to the Traffic Regulation Orders will need to be advertised and local residents/businesses will be consulted. The funding of these changes to the waiting restrictions will be met by the hotel applicants and are expected to cost in the region of £2k.

Contact details:

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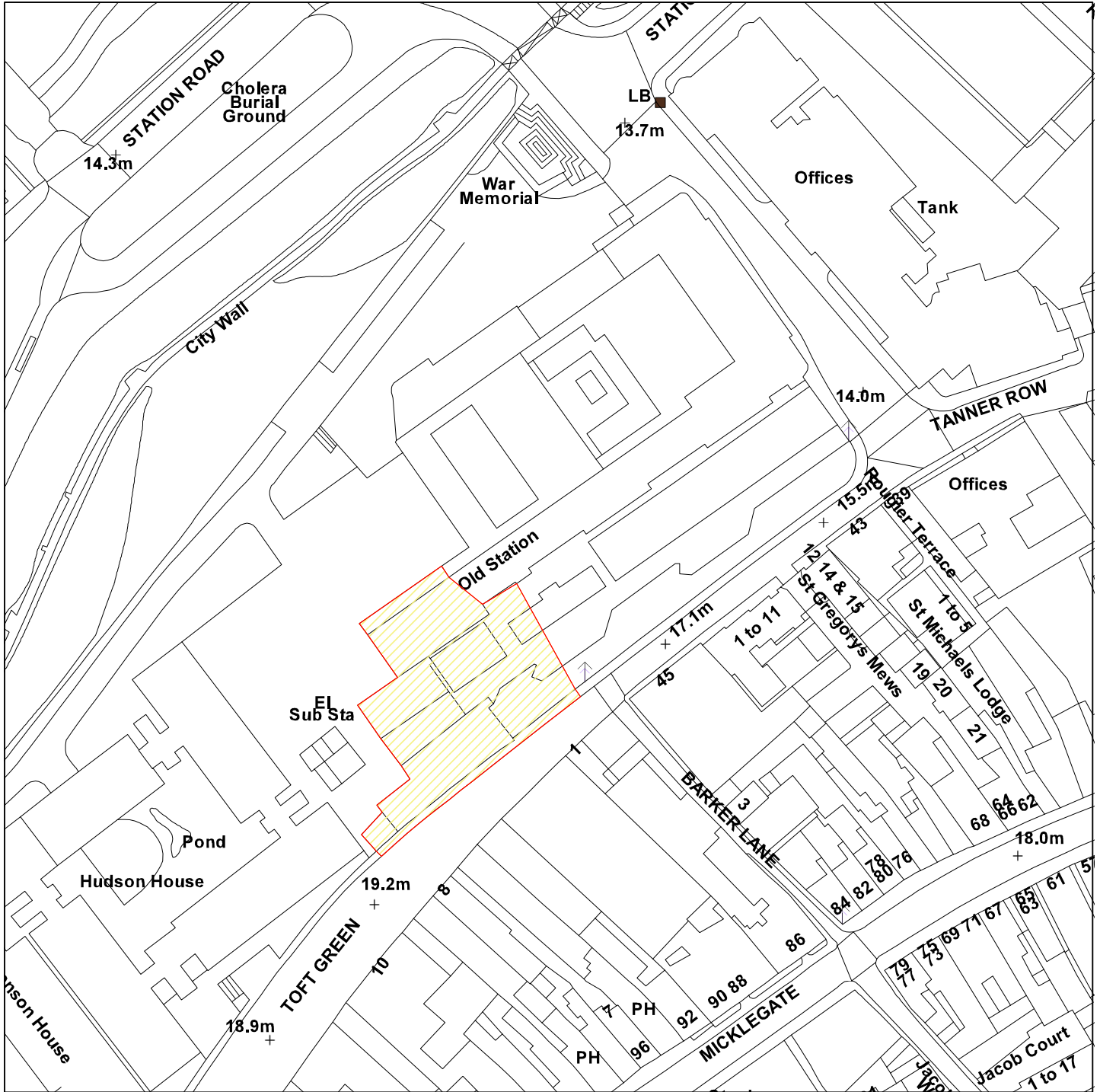
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West Offices, Station Rise, Hotel Fronting Toft Green

10/00615/FULM



GIS by ESRI (UK)



Scale : 1:1250

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Organisation	City of York Council
Department	Planning and Sustainable Development
Comments	
Date	14 June 2010
SLA Number	Not Set

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COMMITTEE REPORT

Committee: Main Committee **Ward:** Fishergate
Date: 24 June 2010 **Parish:** Hull Road Planning Panel

Reference: 10/00583/OUTM
Application at: Dairy 6 - 18 Hull Road York YO10 3JG
For: Outline application of erection of student accommodation comprising of 332 student bed-spaces in 7 blocks and separate 1no flat with associated landscaping and access after demolition of existing dairy
By: Uniliving Ltd
Application Type: Major Outline Application (13 weeks)
Target Date: 14 July 2010
Recommendation: Refuse

1.0 PROPOSAL

1.1 This proposal is for the erection of student accommodation blocks on the site of the now derelict former Hull Road Dairy. This is on the south side of Hull Road close to its junction with Melrosegate and Green Dykes Lane. The scheme consists of 7 blocks of student accommodation giving a total of 332 student bed spaces. A separate warden flat is also proposed. The application is in outline form with access, appearance, layout and scale included for determination here. Only landscaping is not included for consideration at this time.

1.2 The application site is 'T' shaped and is currently occupied by the former dairy buildings and their associated hard-standing areas and boundary walls. Blocks A and B stand to front of the site adjacent to Hull Road. Behind these and separated by a central courtyard are blocks C and D. Block A is 4 - 4.5 storeys high, block B between 3.5 - 5.5 storeys, block C is 4 - 5.5 storeys high and block D 3.5- 4 storeys. These storeys include rooms in the roof-space. Access is via Hull Road between blocks A and B and behind to a central courtyard with disabled parking for 8 cars. Behind blocks C and D the site narrows significantly into a strip of land which is between the houses / flats of Devon Place and Nicholas Gardens. Within this area stands blocks E-G. These offer accommodation over 2/2.5 storeys. Blocks E-G will provide 45 study bedrooms between them with 247 bedrooms in blocks A-C. These are arranged as groups of 4/5/6 bedrooms with each group having an accompanying kitchen and amenity area. Block D will be occupied by 40 self contained studios. The development will provide accommodation for 2nd, 3rd and 4th year undergraduates. One flat is provided to be occupied by a permanent on-site warden. This is over the bin store on the eastern boundary of the site.

1.3 The site is bordered to the south, east and west by residential houses, mainly consisting of 2 storey town houses or flats. The flats are mainly on Nicholas Gardens and consist of 1flat on each floor. To the north runs Hull Road with further residential development across the road including the 4 storey Jupiter House flatted development. The existing dairy buildings on site are generally between 1 and 2 storeys in height. The land level across the site rises approx. 3.5 metres from north to south (north being Hull Road) so the front portion of the site is lower than the rear.

However, it is a relatively steady increase across the site and levels are largely uniform between the site and adjacent residential houses. The main difference being between Block C and the adjacent buildings on Nicholas Gardens where the site is approx. 1.5 metres lower.

1.4 In terms of site history, the only relevant application to this scheme is a previous outline application for a residential scheme which was withdrawn prior to a determination in Nov.07. The site is allocated for housing in the draft local plan.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Areas of Archaeological Interest GMS Constraints: City Centre Area 0006

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: East Area (1) 0003

2.2 Policies:

CYT4
Cycle parking standards

CYH1
Housing Allocations

CYED10
Student Housing

CYGP1
Design

CYGP4A
Sustainability

CYHE10
Archaeology

CYGP6
Contaminated land

CYL1C
Provision of New Open Space in Development

3.0 CONSULTATIONS

INTERNAL.

Highway Network Management.

3.1 No objections in principle but officers have raised issues with regard to :

- a) cycle parking provision,
- b) the entrance details off Hull Road,
- c) the provision of a new refuge outside the site on Lawrence Street to assist pedestrians and cyclists associated with the development,
- d) the relocation of the existing bus stop (arising from the refuge issue),
- e) the provision of a shelter at the outbound bus stop across the road near Olympian Court.

Officers are in continued negotiation with the applicant on these issues and updates will be provided at the meeting.

Design, Conservation and Sustainable Development.

3.2 Object on the grounds of an overdevelopment of the site and the impact of the design, height and appearance of the proposed scheme on the wider environment.

3.3 The existing buildings on the site certainly have no merit and have a negative impact on the street scene in this area in common with the Garage forecourts further east and west, where the street frontage is broken down. The importance of this site in design terms is that redevelopment is appropriate to the local context, but also more importantly that it contributes to the Hull Road / Lawrence St. street scene as a component of the journey sequence to and from the City. The development will also need to create an attractive environment for the benefit of the proposed 300 plus resident student community. In this respect the level of outdoor amenity space is inadequate.

3.4 The opportunity to create a strong street frontage with direct access to the blocks fronting Hull Road is therefore welcomed. The Design and Access statement correctly identifies that the predominant character of the area is 2 / 2.5 storey residential immediately adjacent to the site. However the development proposal proposes significantly greater heights.

3.5 The 5 and a half storey frontage of this proposal to Lawrence St / Hull Road appears out of scale with the street at this location and particularly with the adjoining and modestly scaled 2 storey houses. It is considered that both the overall height and the way the development is stepped up towards the centre of the street frontage of the site to be inappropriate in this context. The articulation of the elevations with bay windows is a positive, but the overall composition and the 'recessive' glazed links need further consideration.

3.6 Although officers would consider this as a commercial development CABE's Building for Life Standards are arguably applicable and appropriate in suggesting that 'schemes should integrate with surrounding development' and as such we would expect to apply these principles in consideration of this scheme.

3.7 The overall block plan with the creation of an internal courtyard has a clear design logic. However the courtyard is not designed to respect the principle articulated in the Design and Access statement of creating an internal environment dominated by pedestrian use - this relies on restricting access rather than necessarily creating genuine amenity space. The potential overshadowing by blocks C & D may preclude the most beneficial use of this space which makes consideration of the space to the south of these blocks even more important. This should be a properly landscaped

amenity space rather than dominated by external cycle parking - which itself will not be acceptable under our cycle policies. The relationship between blocks C & D and the adjoining residential properties at the proposed 4 and a half storey height are also a concern.

3.8 Overall the proposal suggests an overdevelopment of the site . The massing of the buildings is overbearing both in relation to the internal courtyard and the street. There is insufficient quality amenity space and although detailed specialist comments will be needed from others, it is clear that the cycle parking proposals do not meet the council's requirements being not sufficiently integrated within the overall design.

3.9 The scheme does not achieve the necessary quality standards demanded by PPS1 paragraphs 34 & 35 in its current form, either in relation to creating a sense of place or in relation to the context of Hull Road / Lawrence St in York.

Sustainability.

3.10 No objection in principle but further information requested. As a new commercial development of over 500m², a number of minimum requirements, set out in the Council's Interim Planning Statement (IPS) on Sustainable Design and Construction, must to be adhered to before planning permission is granted. A number of the minimum criteria have not been fully addressed in the submitted Sustainability Statement document. For the Council to be confident that the proposed development complies with the requirements of the IPS and thus be happy for planning permission to be granted, further information is required to be submitted on the following. A commitment to achieving a BREEAM rating of 'very good', the Institute of Civil Engineers Demolition protocol in order to maximise the reuse and recycling of existing materials, adherence to the Considerate constructors scheme, minimising waste and pollution from the site and 10% of the developments energy demand be provided from renewable sources. Subject to receiving these commitments, recommend conditions to control this.

Archaeology.

3.11 Object. The application site lies within the Area of Archaeological Importance. The applicant has submitted a desk-based assessment with the application. The DBA is comprehensive. It identifies that the site has the potential to preserve significant archaeological features and deposits including burials. It recommends that there should be an archaeological field evaluation of the site.

3.12 After discussions between the applicant and Council officers, the applicant commissioned an archaeological evaluation of the site. The applicant has not yet submitted a report on the evaluation.

3.13 The City Archaeologist visited the site on 29th April. The evaluation has demonstrated that the site contains the well-preserved remains of a 19th century tannery. Elsewhere in the country, the excavation of tanneries has been identified as a research priority. Questions about construction, lay-outs, development over time, technological innovation (particularly with regard to power sources and water usage) are of great importance and relevance to this site. It is likely that there will be excellent preservation of most of the elements of the 19th century tannery across the application site which will allow these research questions to be addressed. A lot of these structures and deposits lie underneath the modern dairy buildings.

3.14 These remains are significant. However, that significance does not merit preservation in-situ provided appropriate mitigation measures are agreed with the applicant. At the time of writing, the applicant has not submitted a report on the evaluation and nor has the applicant agreed that this mitigation strategy will be implemented. In the absence of the report and agreement on the mitigation strategy, it is recommended that this application should be refused in line with PPS5: Planning for the Historic Environment and Policy HE10 of the Deposit Draft Local Plan (4th set of Changes).

City Development.

3.15 No objections. The principle of student housing on this site is established through Policy ED10 and the submission by the applicant of a Needs Assessment which successfully demonstrates a need for student housing within the city. Subject to design, accessibility and amenity considerations there is no policy objection.

Should planning permission be forthcoming it is considered, as has been best practice with other applications for student housing, that a suitably worded condition be attached to ensure the development remains occupied in perpetuity by students only. Without such a condition the situation may arise that non students occupy the properties and as such, it would be necessary to negotiate the provision of affordable housing on the site.

Structures and Drainage.

3.16 No objections. A detailed drainage report was submitted with the application. This was considered acceptable subject to foul and surface water drainage works being carried out in accordance with the submitted details.

Environmental Protection Unit.

3.17 No objections in principle but concerned over several issues. Conditions recommended. These concerns include the following:

3.18 Contamination.

Sources of contamination on the site from its past uses as a tannery, confectionary works, engineering works and dairy. Recommend a condition regarding the identification of contamination and the remediation that may be necessary.

3.19 Piling and Construction issues.

Recommend a condition requiring a Construction Environmental Management Plan (CEMP) should include details of all operations that are likely to be excessively noisy, such as: during demolition, crushing of on site materials, piling, excavation, laying of concrete slabs, cutting old steel and the operation of generators. The plans should include how they propose to reduce the impact of such noise.

3.20 Ground water abstraction.

There is written evidence of a borehole on the site which has not yet been physically located. This would need to be de-commissioned and testing of the ground water carried out. This should also be considered by the Environment Agency.

3.21 Noise.

A noise report was submitted with regard to noise levels inside living areas and bedrooms within the development. Noise levels within the blocks fronting Hull Road fall within Noise Category C of PPG24 for which planning permission would normally be refused. It is possible to mitigate these effects however and conditions are recommended for this purpose.

3.22 Lighting.

As it is likely within a development of this size that there will be high level lighting installed, officers have concerns that this could prevent or disturb the sleep of nearby residents and occupiers of the proposed blocks. Therefore a condition is recommended to control the levels and spillage of light so as to ensure the amenity of local residents.

Lifelong Learning and Leisure.

3.23 Assuming there is no on-site open space commuted sums should be paid to the Council for

- a) amenity open space - which would be used to improve a local site such as Hull Road Park or St Nicholas Fields, this however could be off set by on site amenity space
- b) Play space - Not required as student flats
- c) sports pitches - which would be used to improve a facility within the East Zone of the Sport and Active Leisure Strategy.

The contribution to off site provision is to be based on the latest York formula through a Section 106 Agreement.

Negotiation with the applicant is on-going on this issue.

EXTERNAL.

Hull Road Planning Panel.

3.24 Object. Raise concerns over the proposed parking provision. Not convinced that the proposed measures i.e. in/out management strategy and local car schemes will be sufficient as stated in the supporting documents to prevent an increase of vehicles. Consider that whilst the development is close to the university, a considerable percentage of occupiers are likely to bring cars with them for social use. With no provision on site, vehicles will be parked on the adjacent highway and neighbouring streets resulting in parking issues and problems for other residents in the surrounding areas.

Yorkshire Water.

3.25 No objections subject to conditions relating to no building within 3 metres of either side of a public sewer crossing the site and the details of the proposed systems of foul and surface drainage.

North Yorkshire Police.

3.26 No objections. The developer has taken into consideration crime prevention advice and national guidance in PPS1, Safer Places the planning system and Crime prevention. Consider that the proposed development will provide students with a safe, non-threatening and secure environment. There are good levels of natural

surveillance throughout the scheme and it will have clearly defined boundaries. The entrance gates will be electronically controlled and this is also welcomed.

3.27 There is some cycle crime in the area, especially at the Olympian Court development opposite and whilst the design of the cycle stores has not yet been provided, this would need to be good quality, secure and totally enclosed under 'lock and key'.

Environment Agency.

3.28 Comments awaited.

Neighbours and Third Parties.

3.29 17 letters have been received in objection to the proposal for the following reasons.

- i) the development is too large and will block out light to neighbouring properties.
- ii) area is already full of students. More will increasingly upset the balance between locals and students and lead to the closure of shops and businesses. Locals must not be the forgotten citizens in a student enclave.
- iii) The site is next to the Melrosegate junction and this will increase congestion and traffic fumes from stationary traffic in the area. The transport assessment is incorrect, the Grimston Bar Park and Ride service does not stop outside the site.
- iv) Development is excessive and the density very high. This will have a negative impact on the surrounding residential area through noise and disturbance. A development such as this should be nearer to the new campus.
- v) The proposed elevations will dwarf the surrounding properties, especially those adjacent to St. Nicholas Gardens.
- vi) Student accommodation will not be appropriate in close proximity to houses considering that most of the residents of Nicholas Gardens are retired, professional or post graduates seeking quiet accommodation. Will affect the value of nearby properties.
- vii) Concerned about lack of parking being provided within the development. Means that students will park in other spaces and roadways on Hull Road causing obstruction and inconvenience. Current transport infrastructure cannot cope with the traffic round the Green Dykes Lane / University Hill area and this development will make this worse.
- viii) Noise and disturbance late at night from students coming in late from evenings out in large groups.
- ix) The height of the blocks will reduce the appeal and originality of the architecture and planning of the area.
- x) Most of the nearby houses are 2 storey and the proposed blocks are 3,4 and 5 storey. They will tower above boundary walls with neighbouring houses resulting in a loss of privacy and light. It should be lowered to blend in better with the surroundings. Presently they will loom large over houses on Devon Place, seriously damaging neighbour amenity.
- xi) Overlooking of the gardens of houses on St Nicholas Gardens.
- xii) Will not free up general market housing.
- xiii) Concerned about asbestos on the site.
- xiv) 9 Devon Place will lose all sunlight in the afternoon and evening.
- xvi) Object to a bin store being located by the garden wall of 9 Devon Place.
- xvii) 1 full time employee to deal with 332 students is insufficient.

xviii) Development will be contrary to the Secretary of State decision on the Heslington East complex, in particular with regard to the student / general housing requirements of the city.

xix) The figures of the percentage of students already living in the area are incorrect, there are many more.

xx) The site is allocated for housing for families not for student accommodation. Proposal is therefore contrary to the Council's own assessment of housing needs.

xxi) Concerned about the current boundary between the development and St. Nicholas Gardens. Demolition of the buildings will harm the structural integrity of this wall. Boundary walls should be provided to a minimum of 2.5 metres.

xxii) Submitted application is different to that shown to locals by the developers prior to the application going in.

3.30 1 letter of support has been received.

i) The existing site and buildings are an eyesore.

ii) The location of the site close to the university campus is ideal.

iii) Development complies with Policy ED10 of the local plan.

iv) Would help to reduce the number of family houses been converted and extended into HMO's in the area which has affected its character.

v) Purpose built accommodation is very successful and popular in university cities.

vi) A detailed management plan has been provided to help eliminate issues such as parking, nuisance and noise etc.

4.0 APPRAISAL

4.1 KEY ISSUES.

- principle of the development.
- affordable housing/occupancy.
- impact on character and appearance of the area.
- impact on residential amenity.
- living conditions of future occupants.
- open space provision.
- parking and highway issues.
- other issues.

Relevant Planning Policies.

4.2 The application has been considered against national guidance contained in PPS1 (Delivering Sustainable Development), PPS 3 (Housing) and PPS 5 (Planning for the historic environment). Relevant policies in the draft local plan include the following:

Policy ED10 (Student Housing). Planning applications for off campus residential accommodation on windfall sites should meet a series of criteria. Applicants must demonstrate an identified need for the development and give consideration to accessibility to educational establishments by means other than the car, scale and location and the amenity of nearby residents. Car parking must also be satisfactorily managed.

Policy H1 (Housing Allocations). This allocates sites for future housing developments within the City of York Council administrative area. This site is allocated as a housing site under this policy.

Policy GP1. (Design) This is a general policy where proposals will be expected to respect or enhance the local environment and be of a density, layout, scale, mass and design that is compatible with neighbouring buildings, spaces and the character of the area. They should also avoid the loss of open spaces, respect / enhance existing urban spaces and public views, provide individual or communal amenity space, provide appropriate waste recycling and litter collection arrangements and ensure that residents are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.

Policy GP4A. (Sustainability) This policy says that all development should have regard to the principles of sustainable development as outlined in the criteria listed in this policy. Reference should also be made to the Council's IPS on Sustainable Design and Construction which requires developments such as this achieve a BREEAM rating of 'very good' (the development is classed as a commercial development as opposed to residential) and 10% of the expected energy demand from an on-site renewable source.

Policy HE10. (Archaeology) Planning applications for development that involves disturbance of existing ground levels require a field evaluation to assess the extent and importance of any remains found. It must be demonstrated that less than 5% of any archaeological deposits will be disturbed or destroyed.

Policy GP6. (Contaminated Land). Applications for development on land which may have been contaminated by a previous use should be accompanied by a desk study of the potential for contamination. Should this preliminary assessment indicate a potential for contamination, a more detailed site investigation should be submitted prior to the determination of the applicant.

Policy L1c (Open space provision). Developments for all housing sites or commercial proposals will be required to make provision for the open space needs of future occupiers.

Principle of the development.

4.3 The application site is allocated in the local plan for housing under policy H1. The site has more recently been considered suitable for housing development within the emerging Strategic Housing Land Availability Assessment due to its location, accessibility and conformity with strategic policies.

4.4 Given that the applicant proposes residential development, albeit student housing, there would not be a policy objection with regard to the principle of student development on this site subject to the criteria contained in Policy ED10.

4.5 The applicant has submitted a needs assessment as required by Policy ED10 which successfully demonstrates a demand for student housing. The City Development team are currently in the process of exploring the issue of student housing. Whilst this work is in its early stages, the initial findings are broadly similar to

the conclusions drawn by the applicant in their needs assessment here. By providing student accommodation in an actively managed environment and in a central, sustainable location, the proposal could reduce the pressure on private housing in established residential areas (such as Badger Hill), where significant numbers of dwellings have been purchased by landlords and rented to students, reducing the supply of first time buyer/family houses in these areas.

4.6 As such, the principle of student housing is established. However, it is still necessary to consider the other criteria of Policy ED10 in exploring whether the application site is suitable for student housing.

Affordable housing/occupancy.

4.7 The accommodation proposed would be capable of being occupied by non students as single households. Unless controlled, this could enable the development to be used in the future for open market housing without planning control. Such occupation on a site / proposal of this size would normally require the provision of affordable housing and as such, some future control over this will need to be exercised. Student accommodation in York forms an important element of the private rented market and competes directly with those on low incomes. As this application is for 100% student housing, provided 100% of the occupancy is controlled by condition, it is not considered that there is a requirement for affordable housing in connection with this particular application.

4.8 In order to control this, an occupancy condition would ensure that a fresh application would be required in order for the accommodation to be let or sold on an open market basis, at which time the issue of an affordable housing contribution could be fully addressed. Therefore in the event of consent being granted, such a condition is recommended. The applicant, at paragraph 1.20 of the submitted Planning Statement, indicates that they would be prepared to enter into a Section 106 Agreement to control mechanisms associated with the accommodation through an Operational Management Plan so further control over occupation would also be exercised through this mechanism. Without such control being attached it would be necessary to consider the scheme for affordable housing given that there may be the opportunity for non students to occupy the properties in the future.

Impact on character and appearance of the area.

4.9 The site lies to the east of the City on Hull Road. The site is 'T' shaped with a long street frontage to Hull Road and a long thin strip extending southwards between adjacent residential properties. Although beyond the Central Historic Core Conservation Area, Hull Road / Lawrence Street is an historic route into the City following the line of the old Roman Road. The route into the City is typical of the approach roads to York demonstrating an architectural chronology from C20th post-war development through interwar to Edwardian / Victorian and Georgian before delivering you at Walmgate Bar the gate to the medieval City. In places this experience is compromised by recent development but there remains many good examples of Georgian and Victorian terraces notably in the immediate vicinity of the application site, in particular the imposing cream brick late Victorian terrace at 145 - 151 Lawrence Street.

4.10 The detailed comments of the Design, Conservation and Sustainable Development officer are at para. 3.2 and members are referred to these. One of the biggest concern is the design and size of the blocks (A and B) to the front of the site adjacent to Hull Road. This frontage is approx. 78 metres in length and development is proposed in two blocks across this length save for a gap of 9 metres where the entrance to the site is shown. Part of Block D behind would be visible through this gap. The development provided along this frontage ranges from between 3.5 to 5.5 storeys in a design which is stepped up towards the centre of the site. In height terms this equates to between 13 metres at its lowest point to 19 metres at its highest. The eaves height is also high at 9m and 14.8m respectively. Both blocks have full side gable ends and would stand between 2-4 metres back from the footpath. This is forward of the front line of the existing dairy buildings, which in scale are also much lower than what is proposed here. The adjoining buildings immediately adjacent to either side of the site on Hull Road are more modestly scaled 2 storey houses with a height of approx. 9 metres with hipped roofs. Furthermore the proposed buildings will also stand forward of the house immediately to the east of the development, no.22 Hull Road.

4.11 Behind Blocks A and B, a repeat line of residential blocks (C and D) are proposed which largely mirror the arrangement across the site frontage. Block C has a length of 35 metres with a height of 16 metres (12 metres to eaves) and Block D has a length of 31 metres x 13.5 metres high (9 metres to eaves). The distance between block A and D is 9.2 metres at its shortest point and between blocks B and C, 11 metres. Blocks E,F and G stand in the narrower southern portion of the site and these are more modest at 2.5 storeys with a height of 9.5 metres.

4.12 Officers consider that the design, height and appearance of the development as a whole is inappropriate in this location and will harm the character of the street scene and the wider context within which the development stands. Blocks A-D are all significantly higher than the predominantly 2 storey buildings around the site and will consequently look incongruous and dominant within this more traditional pattern and scale of development. Blocks A and B are the highest and most visible of the blocks given that they front straight onto Hull Road but Blocks C and D will also be visible, both from Hull Road when looking past blocks A and B but also from surrounding residential streets such as Devon Place and Nicholas Gardens.

4.13 As well as the existing height characteristics of the Hull Road area, the type of development is also quite traditional in that it is mainly family housing. Given the type and extent of the development proposed and the height required in order to achieve the number of units, the proposed blocks would resemble apartment blocks and are of extremely high density. Consequently this adds to the incongruous, overly dominant appearance of the development within its locality. There are some positive elements to the design but these are largely lost because the scheme as a whole becomes far too dominant within what is a relatively simple street scene and it consequently becomes difficult to see past the height and overpowering nature of the proposal. Block E,F and G in the narrower rear part of the site are smaller and less strident and consequently are more in keeping with their surroundings. Although there are other issues with these units, in design and size terms these are, on the whole, acceptable.

4.14 As stated, the predominant character of the area is 2 storey houses, in particular on this south side of Hull Road. It is acknowledged that there is an existing 4.5 storey development across the road from this site (Jupiter House) but this still remains lower

than what is proposed here. Jupiter House also stands between 3-6 metres back from the footpath giving it a more open feel and it occupies a frontage area very much less than that proposed here. Furthermore it is read in a different context given the similar Olympian Court development that runs behind Jupiter House and away from the Hull Road frontage.

4.15 PPS1 (Delivering Sustainable development) promotes the importance of good design. Para. 34 says that 'Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted'. It is officer's opinion that this proposal is inappropriate in its context and harms the quality and appearance of the area. It is also an overdevelopment of the site. It is therefore considered contrary to guidance in PPS1 and policies ED10 (parts 3 and 4) and GP1 of the local plan.

Impact on residential amenity.

4.16 Many of the objectors voice concerns over a loss of amenity through noise and disturbance as a result of the development. Objections are also raised about the overlooking of private gardens and the overpowering and over-dominant nature of the development close to boundaries.

4.17 With regard to noise and disturbance, a number of objectors are concerned that the development will introduce a large number of students with different lifestyle patterns to their own into the area. However, Central Government advice in Planning Policy Statement 3: "Housing" actively encourages the creation of mixed communities and achieve a mix of housing types and a mix of different households in any area. It states that it is important to help create mixed and inclusive communities which offer a choice of housing and lifestyle. It does not accept that different types of housing and tenures make bad neighbours. It states that local planning authorities should encourage the development of mixed and balanced communities and they should ensure that new housing developments help to secure a better social mix by avoiding the creation of large areas of housing with similar characteristics. As for this proposal, the development would be actively managed on site with a permanent on-site management presence proposed and this should reduce the risk of problems arising as a result of noise or anti-social behaviour. Offering this site for student accommodation would not, in officers opinion, be a reason to refuse the application on amenity grounds.

4.18 As for the issues of overlooking and over-dominance, officers consider the proposal to be extremely harmful to the living conditions of adjacent neighbours on Devon Place and Nicholas Gardens in particular. The excessive height and large footprint of the development results in a very extensive development close to existing domestic boundaries. This results in a development which would appear extremely dominant and overpowering to these neighbours, to the severe detriment of their amenity. Blocks C and D in particular will appear very dominant from the neighbouring houses in Devon Place and Nicholas Gardens. For example block D is shown at 13.5 metres high (including 9 metres to eaves) at a distance of only 7-8 metres to the nearest residential boundary and 12 metres to the nearest house (8 Devon Place). At its nearest point, block C will stand only 7.8 metres from the boundary with no's 40 / 42 (flats) Nicholas Gardens. This is at a height of approx. 16.2 metres (12 metres to eaves). Bedroom windows will look out from all storeys across these and other

neighbouring gardens beyond. The end gable of block C, with a height of 16 metres will be 1 metre of the boundary with no's 37/39 Nicholas Gardens. Even accounting for the fall in land level at this point of between 1 and 2 metres, this represents a very poor, highly dominating relationship between the proposed blocks and these properties.

4.19 Officers consider that such a height and proximity to boundaries, together with the solid, unremitting mass of the development in blocks C and D means that they will overpower and completely dominate the outlook from the rear of these nearest neighbouring houses. In overlooking terms, whilst the nearest windows in block D have been articulated away from the nearest houses on Devon Place, other windows further along this block will still offer an unacceptable level of overlooking over these gardens. Blocks E, F and G are less strident in scale at 9.5 metres to the ridge and this is more in accordance with the character of the area. However, this rear portion of the site is narrow and these blocks will stand only 2m from the boundaries with neighbouring gardens. These blocks have a solid end gable and so notwithstanding the lower height of 9.5 m, these buildings will still appear dominant from neighbouring houses. For example, the rear of no.6 Devon Place is oriented directly towards the side of block F with a separation distance of only 11 metres. The relationship with no.7 Devon Place is similar with proposed Block E. It is considered that the visual dominance of a 9.5 metre high blank gable close to, and across these rear boundaries harms the outlook and amenity of these neighbours to an acceptable degree. The distance of these blocks to the houses / flats on Nicholas Gardens is 14m and is more acceptable, although a greater distance would be preferable. One of the former dairy buildings touches this boundary and whilst this is a much lower building, the impact of Blocks E-G is not considered materially more harmful than the existing arrangement.

4.20 Officers are of the opinion therefore that the development will significantly harm the amenity of adjacent neighbours on Devon Place and Nicholas Gardens through harm to their privacy and outlook to a degree which is considered unacceptable. This is contrary to national guidance in PPS1 and PPS3 and local plan policies ED10 (part 3) and GP1.

The living conditions of future occupants.

4.21 The application site is relatively modest in size and offers a slightly problematic space to develop given the very narrow rear portion of the site which is only 21 metres across. Blocks E-G stand in this area. At their shortest points the gaps between the blocks internally is 11.4m between blocks B and C and 9.2 metres between blocks A-D. Between blocks E and F the distance is between 7.6 and 12 metres and between F and G, 8 metres. In all respects this is considered low, particularly given the height and extremely long footprint of the blocks in question. Other than the 7.6 metres, all the above distances are also between proposed bedroom windows. Whilst it is acknowledged that this is a student development as opposed to family housing, these distances are substandard to a degree which is likely to significantly compromise the amount of privacy that the occupiers of the units could reasonably expect. The central courtyard between blocks A and B and C and D is very narrow and is largely occupied by the proposed disabled and visitor parking spaces meaning this area has no beneficial use in terms of amenity. The manoeuvring area between these spaces is also substandard. The remainder of the space around the blocks is largely taken up by cycle and bin stores leaving barely any useable amenity space which isn't next to

either a cycle / bin store, a parking space or by a bedroom window. The wardens flat is over the bin store.

4.22 The sense of space created around the development is considered poor. This, together with the extent of the built form results in living conditions of future occupiers which is considered of poor quality. This lack of amenity space and general open space adds to an over-whelming sense of overdevelopment of the site.

4.23 A further concern of officers is the lifetime flexibility of the site. The proposal is for student accommodation but should there be a change in circumstance in the future which meant such a use was no longer required and the development had to resort to open market residential, then the development would fall some way short of the Council's requirements on general amenity and living conditions. Officers therefore consider this aspect of the proposal to be contrary to policies ED1 (part 4) and GP1 of the local plan.

Parking and highway issues.

4.24 The site is in a highly sustainable location with good public transport links to the city centre and the nearby university campus. It is also close to well defined and well used cycle and pedestrian links. This is in compliance with policy ED10 (part 2). Highway officers have no objections in principle to the development, however they remain in talks with the applicants over detailed issues such as entrance details off Hull Road, pedestrian and cyclist safety close to the site, the relocation of the existing bus stop to the front of the site and the provision of a new shelter at the outbound bus stop across the road near Olympian Court. If members were minded to approve the scheme then contributions towards this work would have to be agreed.

4.25 Car parking on site is restricted to 8 spaces, all for disabled parking. This level of parking is acceptable and is normal for student accommodation of this type. However the space to the rear of these parking bays is only 4.6 metres instead of the standard 6 metres to allow a suitable area for safe manoeuvring. The present layout does not allow for 6 metres without touching block C, another indication of the overdevelopment of the site.

4.26 Cycle parking provision within the site is shown to be in secure cycle buildings across the site on a ratio of 1 space per 2 units. However the internal dimensions of the cycle stores shown on the site layout are inadequate for the numbers of cycles indicated and need to reflect the council policy of 0.9 metres separation between the Sheffield hoops so that a 0.45 metre width is available for each cycle. Each store should contain a maximum of 10 cycles and be fully covered to provide protection from the elements and have a lockable entry door. Currently the provision shown does not meet these standards although this could be covered by condition if necessary.

4.27 The proposed ratio of 1 space per 2 units accords with the University arrangement for cycle parking for student accommodation, so this provision is acceptable here also. However the provision currently shown does not meet the council's cycle parking standards highlighted above and given the lack of available space across the site, at the time of writing, no suitable way of accommodating the additional specification required has been shown. This may involve the loss of more of the limited green space which is currently shown across the site and this would not be

acceptable. This is considered a further indication that the proposal represents an overdevelopment of the site.

Open space provision.

4.28 An off site open space contribution would be required in connection with amenity open space and sports pitches. The amenity open space contribution would be used to improve a local site such as Hull Road park or St. Nicholas fields. The amount required as an off-site contribution would be offset by the amount of on-site amenity space provided for the occupiers of the flats to use. The submitted scheme currently shows hardly any usable amenity space. In respect of local sports pitches, a contribution would go towards improving a facility within the east zone of the Sport and Active Leisure Strategy. The applicant has stated that this is acceptable in principle, subject to the agreement of an appropriate sum. If members were minded to approve the scheme then contributions towards this would have to be agreed.

Other Issues.

Archaeology.

4.29 The application site lies within the Area of Archaeological Importance. The applicant has submitted a desk-based assessment with the application and this identifies that the site has the potential to preserve significant archaeological features and deposits including burials. It recommends that there should be an archaeological field evaluation of the site.

4.30 The evaluation has demonstrated that the site contains the well-preserved remains of a 19th century tannery. Elsewhere in the country, the excavation of tanneries has been identified as a research priority. Questions about construction, lay-outs, development over time, technological innovation (particularly with regard to power sources and water usage) are of great importance and relevance to this site. It is likely that there will be excellent preservation of most of the elements of the 19th century tannery across the application site which will allow these research questions to be addressed. A lot of these structures and deposits lie underneath the modern dairy buildings.

4.31 These remains are considered significant. However, officers consider that that significance does not merit preservation in-situ provided appropriate mitigation measures are agreed with the applicant. At the time of writing, the applicant has not submitted the required report on the evaluation and nor have they agreed that this mitigation strategy will be implemented. In the absence of the report and agreement on the mitigation strategy, officers consider that the application be further refused in line with PPS5: Planning for the Historic Environment and Policy HE10 of the Deposit Draft Local Plan (4th set of Changes)

Sustainability.

4.32 A full sustainability statement was submitted by the applicant and its content was largely acceptable. However no commitments were received in respect to achieving a BREEAM rating of 'very good', a demolition protocol in order to maximise the reuse and recycling of existing materials, an adherence to the Considerate Constructors

scheme, minimising waste and pollution from the site and 10% of the developments energy demand being provided from renewable sources. It has since been verbally stated that the applicant commits to the above but at the time of writing, confirmation of this in writing has not been received. Subject to this being received, conditions would be a suitable way of controlling this. However if this commitment is not received, this would be a further reason for refusal. An update will be provided at the meeting.

Drainage.

4.33 A drainage assessment was submitted with the application and the mitigation measures proposed in this to control surface water runoff are acceptable. In the event of planning permission being granted, conditions would be imposed that the drainage works be carried out in accordance with these measures. The Environment Agency have been consulted on the possible presence of a borehole on site. Their comments are awaited.

Environmental Protection.

4.34 There are no objections in principle in respect of environmental protection issues although officers have raised some concerns over construction noise, lighting and possible contamination of the site from previous uses. Officers recommend that conditions be imposed on these points in the event of planning permission being granted.

5.0 CONCLUSION

5.1 Student housing is acceptable in principle on this site, however the development proposed here represents an overdevelopment of the site. The excessive height of blocks A - D in particular coupled with their design and extensive footprint will harm the character, appearance and visual amenity of this part of Hull Road and its immediate area. This excessive height and footprint very close to the boundaries with residential properties on Devon Place and Nicholas Gardens will further result in a development which will overlook and dominate these neighbours to a degree which seriously harms their outlook and privacy resulting in an unacceptable loss of their amenity. The overdevelopment of the site will also lead to sub-standard on-site separation distances between blocks and this, together with an unacceptable level of on-site amenity space, will result in a poor living conditions for future occupiers of these units.

5.2 The site also falls within an area of acknowledged archaeological importance and an initial evaluation of the site has concluded that remains on the site are significant. Whilst that significance does not merit preservation in-situ provided appropriate mitigation measures are agreed with the applicant, the Council are still waiting for a report on the evaluation to be submitted and consequently nor has the applicant agreed with us how any mitigation strategy will be implemented. In the absence of the report and agreement on the mitigation strategy, this issue remains outstanding.

5.3 The development is therefore considered contrary to national planning guidance in PPS1, PPS3 and PPS5 and local plan policies ED10, GP1 and HE10 of the Deposit Draft Local Plan (4th set of Changes).

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Refuse

1 The development is considered an overdevelopment of the site. The excessive height and footprint of the proposed blocks close to the boundaries with residential properties on Devon Place and Nicholas Gardens in particular will further result in a development which will overlook and dominate these neighbours to a degree which seriously harms their outlook and privacy resulting in an unacceptable loss of their amenity. The overdevelopment of the site will also lead to sub-standard on-site separation distances between blocks and this, together with a poor level of on-site amenity space, will result in a poor living conditions for future occupiers of these units, whether students or otherwise. The development is therefore considered contrary to national planning guidance in PPS1 (Delivering Sustainable Development) and PPS3 (Housing) and local plan policies ED10 and GP1 of the Deposit Draft Local Plan (4th set of Changes).

2 Officers consider that the design, height and appearance of the development, in particular Blocks A-D, is inappropriate in this location and will harm the character of the street scene of Hull Road and the wider context within which the development stands. It will consequently look incongruous and dominant within the more traditional pattern and scale of development of this part of the city. The massing of the buildings is overbearing both in relation to the internal courtyard and the wider street environment. The development is therefore considered contrary to national planning guidance in PPS1 (Delivering Sustainable Development) in particular paras 34 and 35 and PPS3 (Housing) and local plan policies ED10 and GP1 of the Deposit Draft Local Plan (4th set of Changes).

3 The site falls within an area of acknowledged archaeological importance and an initial evaluation of the site has concluded that remains on the site are significant. No report on this evaluation has been submitted to the Council for consideration and consequently no mitigation strategy has been agreed as to how these remains will be dealt with. In the absence of any agreements the development has the potential to harm remains of acknowledged archaeological importance contrary to PPS5: Planning for the Historic Environment and Policy HE10 of the City of York Draft Local Plan.

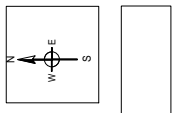
7.0 INFORMATIVES:

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FORMER DAIRY, 10 - 18 HULL ROAD

SCALE: 1:1250
 DATE 14/6/2010
 Project: PSL
 Drawing No.:



CITY OF
YORK
 COUNCIL

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