

COMMITTEE REPORT

Date: 10 March 2016 **Ward:** Guildhall
Team: Major and **Parish:** Guildhall Planning Panel
 Commercial Team

Reference: 15/02891/LBC
Application at: Newgate Market Newgate York
For: Display of 4 no. wall mounted direction signs (3 x non-illuminated and 1 x externally illuminated) at entrances to the Market on 28, 33 and 47 Shambles
By: Mr Chris Price
Application Type: Listed Building Consent
Target Date: 16 February 2016
Recommendation: Approve

1.0 PROPOSAL

1.1 The application relates to three locations in Shambles to the east of the Market specifically and consists of the following:

- a) The side elevation of 47 Shambles - wall mounted panel sign and street sign
- b) The alley between 33 and 34 Shambles - street sign
- c) The alley between 28 and 30 Shambles - wall mounted panel sign

1.2 The rationale behind the application is that the Council's market and city centre managers together with Shambles Market Traders Association consider that the hidden nature of the market, enclosed by Parliament street and Shambles, means that it is often overlooked by shoppers. The intention is therefore to provide additional signage around the perimeter of the market to draw more attention to the facility. (A concurrent application for advertisement consent is being processed for these proposals, which includes signage on Silver Street and at the entrance to the market on Parliament Street).

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; 34 Shambles York YO1 2LX 0702
Listed Buildings GMS Constraints: Grade 2; 28 Shambles York YO1 2LX 0710
Listed Buildings GMS Constraints: Grade 2; 31, 32, 33 Shambles York 0707

2.2 Policies:

CYHE4 Listed Buildings

3.0 CONSULTATIONS

INTERNAL

Planning and Environmental Management (Conservation Architect)

3.1 Newgate Market occupies an open area formed by building clearances in the C19th and C20th between the rear of Shambles, Jubbergate and Piccadilly. The area is within the Central Historic Core conservation area between the "medieval streets" character area and the main shopping streets. Nos 28, 33 & 47 Shambles are located at key entrance areas into the market from King's Square and Shambles. The buildings are designated heritage assets listed at grade II. No 28 Shambles is one of a pair of three-storey early C19th buildings in brick and render. No 33 Shambles is part of a timber framed range of buildings dating from early C15th. No 47 Shambles was built around 1740 and has a later C19th extension and shop-front. Individually the three buildings are of evidential and historic significance and they contribute to the fortuitous aesthetic value of Shambles.

3.2 It is proposed to introduce 4no signs at key entrance points off Shambles. Two of the signs are proposed as direction signs similar in material, scale and design to the street signs. Two of the signs would give information about the market and include maps and a protected chalk board. They would be approx 1.65m x 1.4m overall and have a high quality brass finished frame with cut-out lettering along the top. One of the information signs would be illuminated from a small external down-lighter fixed to the wall above the frame.

3.3 The market has recently been remodelled and upgraded. It is still located within an urban block and has no open edges addressing the major thoroughfares, such as King's Square and Shambles, where there is higher footfall. To achieve its new economic potential there is a need for direction signage at key entrance points. Also by introducing information boards with maps it is hoped residents and visitors would be attracted into the area and use it as a through route.

3.4 Three signage locations have been chosen to serve people coming from each end of Shambles. No 28 Shambles is located towards the southern end of the lane. The adjacent alley is the first opportunity to enter the market from Pavement end of the street. An externally illuminated information board would be attached to the inner face of the alley. Of the four alleys or "snickleways" leading from Shambles this one is the widest and most recent. Evidence in the application documents and on site shows it was created after 1960. Only the revealed side wall of relatively recent

brickwork to no 28 would be affected by the attachment. The main frontage and historic setting of the building would be preserved.

3.5 The narrow historic alley adjacent to no33 Shambles would receive a small direction sign. In this location a sign would reinforce the public role of the historic route, helping to overcome the "cul-de-sac" nature of this end of the market. The sign would be fixed onto the rendered and scored cement render to avoid damage to exposed timber framing. This sign would be a small intervention on a relatively plain and long wall to the side of the building. The location and design of the small sign would not harm the historic character of the building or the alleyway.

3.6 No.47 Shambles occupies a corner location which is highly visible from King's Square. This three-storey C18th building has a late C19th shop-front of aesthetic value wrapping around the corner. The rest of the north facing elevation forming this side of Newgate is relatively blank. In order to be seen from the primary streets the board would be located close to the shop-front and away from the straight-through joint marking the extension. The board would be of relatively small size in relation to the C19th shop-front and its design would not challenge the aesthetic appearance of the large scale shop-front.

3.7 A small direction sign would be added above the shop-front close to the corner to align with street signs on the front elevation. This sign would have a similar appearance and role to the street signs and would not crowd other signage or conflict with the architectural features of the building.

All signs would be reversible.

3.8 Justification has been provided for attaching 2no direction signs and 2no information signs in total to three historic buildings in Shambles. Locations have been chosen to be most effective for the newly regenerated market whilst causing no harm to the special architectural or historic interest of each of the buildings. The signs have been designed with great care, in terms of their design, scale and material, to respect the special characteristics of the historic buildings.

EXTERNAL

Publicity and Neighbour Notification

3.9 One objection on the following grounds - any wall mounted signs will detract from the beauty of such an important and historic street. Shops and businesses on Shambles are subject to strict rules so that the street may be preserved and no one business overpowers the look of Shambles as a whole - which is exactly what advertising signs for the market will do, illuminated or non-illuminated.

Guildhall Planning Panel

3.10 The Panel supports the proposals

4.0 APPRAISAL

KEY ISSUES

4.1 The key issues in the assessment of this proposal are the impact on the special historic and architectural interest of the building and the character and appearance of the conservation area.

LEGISLATIVE BACKGROUND

4.2 Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant listed building consent for any works, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

4.3 In the exercise of an LPA's planning function with respect to any buildings or other land in a conservation area, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character and appearance of that area.

POLICY CONTEXT

4.4 The National Planning Policy Framework 2012 (NPPF) sets out the Government's overarching planning policies. At its heart is a presumption in favour of sustainable development. Paragraph 186 states that Local Planning Authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. Paragraph 187 states that Local Planning Authorities should look for solutions rather than problems and decision takers at every level should seek to approve applications for sustainable development where possible. A principle set out in paragraph 17 is that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

4.5 Paragraph 132 states that considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed by or lost through alteration or destruction of the heritage asset or development within its setting.

4.6 Paragraph 134 states that where a development proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use

4.7 The Development Control Local Plan was approved for Development Control purposes in April 2005; its policies are material considerations although it is considered that their weight is limited except where in accordance with the content of the NPPF. Policy HE4 states that with regard to listed buildings, consent will only be granted for internal or external alterations where there is no adverse effect on the character, appearance or setting of the building.

ASSESSMENT

Proposals and Evaluation

4.8 The signage proposals in detail consist of the following:

Side Elevation of 47 Shambles (Grade II listed building):

- Wall mounted panel sign 1.6m wide by 1.4m high (bottom of sign 0.6m above ground level) incorporating chalkboard and street map. Located to right of existing shopfront
- Street sign 900mm long 250mm high reading 'Market' located above shopfront at circa 4m above ground level

4.9 The wall mounted panel sign has been tastefully designed with a 50mm x 50mm brass frame surround and brass lettering reading 'Shambles Market' (100mm high) on the top edge and it will sit comfortably on the wall to the side of the shopfront to the property. The new street sign is relatively small and adopts the standard established approach of black lettering on a white background. It is considered that the proposals will respect the character of this listed building and will have a neutral impact on the visual amenities of the location.

Alley between 33 and 34 Shambles:

- Street sign 900mm long 250mm high reading 'Market' located on south side of alley (no.33 - Grade II listed building) at circa 2m above ground level

4.10 The new street sign is relatively small and adopts the standard established approach of black lettering on a white background. It is considered that it will respect the character of the listed building and have a neutral impact on the visual amenities of the location.

Alley between 28 and 30 Shambles:

- Wall mounted panel sign 1.6m wide by 1.4m high (bottom of sign 0.6m above ground level) incorporating chalkboard and street map. Located on south side of alley (no.28 - Grade II listed building)

4.11 The wall mounted panel sign has been tastefully designed with a 50mm x 50mm brass frame surround and brass lettering reading 'Shambles Market' (100mm high) on the top edge and will sit comfortably on the wall to the side elevation of the alley near to the entrance from Shambles. As it will essentially be located in an underpass and in shadow, it is proposed to provide a small black wall light, circa 200mm wide by 100mm high, above the sign. It is considered that the appearance of both elements is acceptable and that they will respect the character of the listed building and have a neutral impact on the visual amenities of the location.

Legislative and NPPF Policy Compliance

4.12 It is considered that the proposals will preserve the special architectural and historic interest of the listed buildings they would be attached to and that, therefore, if the application is approved the Local Planning Authority will have properly exercised its duty under Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

4.13 It is also considered that the signs will preserve the character and appearance of the conservation area and that in approving the application the Local Planning Authority will also have properly exercised its duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

4.14 In assessing the application officers have considered the impact of the proposed development on the significance of heritage assets (ie. listed building and conservation area) as required by Paragraph 132 of the NPPF and have judged that there will be no harm. As it is considered there will be no harm, there is no need to weigh the proposal against public benefits as outlined in Paragraph 134 of the NPPF.

5.0 CONCLUSION

5.1 The proposed signs will respect the special historic and architectural interest of the listed buildings and the character and appearance of the conservation area. The proposal complies with national planning guidance, as contained in the NPPF, and Development Control Local Plan Policy HE4 and it is considered that listed building consent should be granted.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

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

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

Drawings: 823SMS-001, 101, 201 and 301

Photomontages: 823SMS-102, 202, 203, 302 and 401

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

3 Notwithstanding the submitted drawings the signage shall be finished in the following manner:

a. Alley between 28 and 30 Shambles - the wiring to the down-lighter shall be hidden if possible, or otherwise neatly clipped vertically from above.

b. Side Elevation of 47 Shambles and Alley between 28 and 30 Shambles - the removable front over the chalk-board should be flush with the front face of the frame.

c. Side Elevation of 47 Shambles and Alley between 28 and 30 Shambles - the brass finish shall be unpolished or a dulled bronze (ie. not as polished brass).

Reason: So that the Local Planning authority can be satisfied with the finished appearance of the signs and their impact on the character of the listed buildings.

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