

## COMMITTEE REPORT

**Date:** 6 October 2016                      **Ward:** Guildhall  
**Team:** Major and                              **Parish:** Guildhall Planning Panel  
                    Commercial Team

**Reference:** 15/01892/LBC  
**Application at:** Rowntree Wharf Navigation Road York  
**For:** Internal alterations associated with partial conversion of  
                    ground and first floor offices to 34 no. apartments  
**By:** Bonner One Ltd  
**Application Type:** Listed Building Consent  
**Target Date:** 11 July 2016  
**Recommendation:** Approve

### 1.0 PROPOSAL

1.1 This is a listed building application for the conversion of part of the ground and first floor of an existing former mill building into residential flats at Rowntree Wharf, York. Members may recall that this application was deferred from planning committee on the 4th August 2016. This was to allow re-consultation on additional information received about cycle and bin storage and the design and siting of steps to provide evacuation from the building in the event of a flood. The application was further deferred from committee on the 8th September 2016 so that the comments received as a result of further consultation could be incorporated in to the application report.

1.2 The site is within the Central Historic Core Conservation Area, Rowntree Wharf is a Grade II listed building and due to its height and enclosure by water features (Wormalds Cut and the River Foss) on three sides, is a landmark building in this part of the city. Constructed as a roller flour mill by W G Penty for Sidney Leetham in 1896. Converted (upper floors) to flats, 1990). At the time of construction, the mill was at the forefront of technology. The building is attached via a mezzanine level access at first floor to a relatively new multi storey car park building providing car parking for the existing office and residential use. A separate application for planning permission has been submitted in respect of the use of the building and associated alterations to allow the residential conversion (15/01892/LBC).

1.3 The proposal includes the remodelling of the internal space of the ground and first floor, external alterations to create additional cycle parking, bin storage and landscaping and the introduction of stepped emergency flood and fire exit from the site via the two storey adjacent car park. Amendments submit since last committee show head room below the staircase platform to be 2.3 metre; this slightly amends the position of the plat form in relation to the existing opening. In addition amended drawings indicate measures to be incorporated in to the design to address crime prevention issues. Vehicular access is from the existing access from Navigation

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Road. 27 of the existing car parking spaces in the adjacent multi storey car park are provided for the development.

1.4 The total number of residential units is 34 of which 21 are studio flats, 7 are 1 bed roomed, 5 are two bed roomed and 1 is three bed roomed.

1.5 The alterations to the buildings and its setting necessary to allow the conversion include:

- Removal of internal partition walls and replacement with new partitions to create the individual residential units.
- Removal of a modern staircase within the north eastern corner of the building.
- Alteration to the existing suspended ceiling.
- alterations to the bin storage arrangements
- Additional cycle parking facilities
- External flood evacuation steps to the multi storey car park
- Crime prevention measures including upgraded lighting and CCTV

1.5 Servicing will be via the existing service channels used for the area of the building already converted to residential development. No alterations are proposed to the existing door and window openings.

## PLANNING HISTORY

1.6 05/02251/FUL and 05/02258/LBC - planning application and listed building consent for the conversion of fifth floor offices to eight apartments with the provision of additional car parking - granted permission January 2006.

1.7 There have been a number of applications and listed building consents for works to individual flats within the Rowntree Wharf development. These applications are not considered significant to the consideration of the current application.

## 2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Areas of Archaeological Interest: City Centre Area 0006

Conservation Area: Central Historic Core

Listed Buildings: Grade 2; Rowntree Wharf Navigation Road York YO1 2XA 0892

2.2 Policies:

CYHE2

Development in historic locations

### **3.0 CONSULTATIONS**

#### INTERNAL

##### Design Conservation and Sustainable Development - Conservation Architect

3.1 No objections to the removal of the staircase in the south east corner it is a modern insertion. The revised heritage statement brings nothing new. The large open floor spaces, and the construction of the floors, including the cast iron columns, bear testament to (are tangible evidence of) the past use of the building; that is, they contribute to its significance. The revised plans expose one or two more of the columns on each floor to view in the corridor, but this is not enough to give the impression of a continuous run of columns. The passage should be made straight. As indicated in the heritage statement, the suspended ceilings need to be higher so that the tops of the columns can be seen, again, particularly in the more public areas. If this can be achieved, we would be closer to achieving a balance between harm (creating small cellular spaces undermining an appreciation of the larger spaces and the structure which are part and parcel with the open spaces and floor capable of bearing considerable load). Any need to alter window to achieve privacy should be via blinds not by changes to the windows.

#### EXTERNAL

##### Historic England

3.2 The application has been viewed by their specialist staff. Historic England do not wish to offer any comments on the application.

3.3 One letter of comment specific to the listed building has been submitted; it is considered that the alterations proposed should be in keeping with the listed building.

### **4.0 APPRAISAL**

#### KEY ISSUES

4.1 The main considerations of this listed building consent application is:

- impact on the special architectural and historic interest of the listed building.

#### POLICY CONTEXT

4.2 Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to have special regard to the desirability of preserving a listed building, its setting or any features of special architectural or historic interest when considering whether to grant listed building consent.

4.3 Central Government guidance dealing with the heritage environment is contained in chapter 12 of the National Planning Policy Framework (NPPF). It directs local planning authorities to give great weight to the conservation of heritage assets and to refuse development that would lead to substantial harm or total loss. Where the harm to the significance of a heritage asset would be less than substantial the harm should be weighed against the public benefits of the proposal, including securing the optimum viable use (paragraph 134 of the NPPF).

4.4 Significance of heritage assets is defined in Annex 2 of the NPPF as the value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.

4.5 The National Planning Policy Guidance (NPPG) provides advice about what is meant by significance in decision taking in the historic environment. In particular the NPPG says that 'Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals'.

4.6 The City of York Draft Local Plan (DLP) was approved for development control purposes in April 2005. Its policies are material considerations in the determination of planning applications, although it is considered that their weight is limited except when they are in accordance with the NPPF. The relevant policies are HE2 development in historic locations and HE4 listed buildings. The main thrust of these policies is compatible with section 12 of the NPPF.

4.7 The planned consultation on the Publication Draft of the City of York Local Plan, which was approved by the Cabinet of the Council on the 25 September 2014, was halted pending further analysis of housing projections. Since then officers have initiated a work programme culminating in a "Local Plan - Preferred Sites 2016" document and other supporting technical documents. Members have approved these documents for consultation which commenced on the 18th July 2016 and will run until the 12th September 2016. The emerging Local Plan policies can only be afforded weight at this stage of its preparation, in accordance with paragraph 216 of the NPPF and at the present early stage in the statutory process such weight is limited. However policy D5 says development affecting the setting of a listed building will be supported where its setting is protected; alterations and extensions will generally be supported when they do not harm the special architectural or historic interest of the building or its

setting. Demolition of a listed building should be wholly exceptional, requiring the strongest justification.

4.6 The site is located within York's Central Historic Core Conservation Area (CHCCA). The CHCCA is described within a number of conservation area character appraisal documents. Rowntree Wharf is within character area 15, Fossgate and Walmgate. It says that 'One of the most prominent landmarks in the area, Rowntree Wharf, can be seen from many points. The best view is that from the walkway on the northern side of the Foss, just outside the Conservation Area boundary.'

4.7 In the absence of a formally adopted local plan the most up-to date representation of key relevant policy issues is the NPPF. It is against this Framework and the relevant sections of the Planning ( listed building and Conservation Area) Act that the application proposal should principally be addressed.

#### Impact on the Special Architectural and Historic Interest of the Listed Building.

4.8 The Conservation Officer advises that the lower floors of Rowntree Wharf have most recently been in use as offices, and to some extent retain large open spaces punctuated by cast iron columns with staircases between the floors. There has however been subdivision by partitions, insertion of suspended ceilings and raised floors in connection with office use. The machinery has gone, but the open spaces, cast iron columns and layout of the building are a tangible link to its use and the technology used in the construction of the building. The significance of the listed building is as a roller mill of late 19th century date, constructed to the design of a prominent local architect, within historic core of the City of York.

4.9 The first floor level has already been formed into smaller compartments and the original open plan layout is not in evidence, columns have been built around and the ceiling has been lowered covering their top section. The new layout will form different compartments and the final amendment to the layout shows straight corridors (originally proposed to be curved) so that evidence of the layout of the columns within the building are retained. Ground floor level has existing compartments set along the outer edge of the floor area however the central area of the floor plate remains open and two lines of columns remain exposed. The proposed layout at ground floor level will lose the sense of spaciousness by creating compartments for each apartments arranged around the window openings, however, like the upper floor, amendments to the scheme have sought to modify the corridors to show a continuous run of columns and the upper section of the columns will be revealed. The crime prevention measures proposed will necessitate the upgrading of the external CCTV system, external lighting and clear film to be placed on the existing window; the applicant has confirmed that the windows will not be replaced or double glazed. The floors have already been raised to accommodate services for the previous office use and the ceilings have been lowered.

4.10 The proposed evacuation steps are to be attached to the multi storey car park a modern addition to the listed building provided when the upper floors of Rowntree Wharf were converted in to residential units. There will be no harm to the significance of the listed building as a result of the positioning of the steps because the multi storey car park is not part of the features of significance to the building's listed status.

4.11 The Crime Prevention officer identified a number of areas of the development which pose a risk of crime. The most significant being the position of the public walk way attached to the side of the building and close to the windows of the first floor apartments. The applicant, in responding to the comments, has proposed a number of additions to the scheme. These include the provision of safety film to the windows along the walkway, improved lighting and CCTV, better security to cycle parking areas and appropriate mechanisms to secure vulnerable areas such as the entrance from the flood escape steps, mail delivery and entrance locking systems. To ensure such measures are fully designed into the scheme and to assess these measures in terms of the character of the listed building a condition is proposed to ensure details and a method statement of all crime prevention measures are submitted and agreed. Given the agreement to provide solutions to crime and disorder concerns and subject to conditions officers are satisfied that the scheme complies with the policies in the NPPF which seek safe and accessible environments.

4.12 Considering all the alterations to achieve the conversion scheme it is concluded that the harm to the heritage asset would be less than substantial and in officers view there are a number of public benefits that outweigh the identified harm. The NPPG advises that public benefit could be anything that delivers economic, social or environmental progress as described in the National Planning Policy Framework (Paragraph 7). The proposed development will provide housing in a sustainable city centre location, bring the floors of the building into use, introduce a use that is compatible with the residential use within the upper floors of the building and ensure the building's future maintenance. Officers consider that these benefits are sufficient to outweigh the less than substantial harm to the building even when attaching additional weight to the requirements of Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (that is to have special regard to the desirability of preserving a listed building, its setting or any features of special architectural or historic interest). The proposal, therefore, complies with national and local planning policies in respect of the historic environment.

## **5.0 CONCLUSION**

5.1 The site is within the Central Historic Core Conservation Area, Rowntree Wharf is a Grade II listed building and due to its height and enclosure by water features (Wormalds Cut and the River Foss) on three sides, is a landmark building in this part of the city. Constructed as a roller flour mill by W G Penty for Sidney Leetham in 1896.

5.2 Officers consider that the benefits of the development are sufficient to outweigh the less than substantial harm to the building identified in this report even when attaching additional weight to the requirements of Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (that is to have special regard to the desirability of preserving a listed building, its setting or any features of special architectural or historic interest). The proposal complies with national and local planning policies in respect of the historic environment.

## **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:-

TCA-288-005 - Site location Plan; TCA-288-005 001 REV E GROUND FLOOR; TCA-288-005 002 REV E FIRST FLOOR PLAN; TCA-288-005 020 REV C PROPOSED SITE PLAN; TCA-288-005 21 REV C CAR PARKING PLAN; TCA-288-005 30 REV C EMERGENCY EVACUATION - proposed steps; TCA/288/005 -40 SECTIONS; RWY L1 Landscaping plan; PDP/5B80 - GA1B - Evacuation stair details; PDP/5B80 - GA2A- Evacuation stair details; PDP/5B80 - GA3A- Evacuation stair details.  
PDP/5B80 - GA4- Evacuation stair details

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

3 Large scale details of the following items shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of building works. The development shall be carried out in accordance with the approved details.

- Full details at a scale of 1:20 and 1:50 of the junctions between the internal face of the external walls and the new stud work.
- Large scale details of the alterations to the suspended ceiling and the connection between the ceiling and the upper part of the columns.
- Large scale detail of alterations to the door openings on the first floor walkway to allow the doors to be fixed shut.

Reason: So that the Local Planning Authority may be satisfied with the details in the interests of preserving the special setting of the listed buildings and the character and appearance of the conservation area.

4 No development shall commence until there has been submit to and approved in writing a large scale detail of the proposed flood escape staircase on the east side of the multi storey car park building. The details submitted shall ensure a minimum of 2.3 metres is achieved between the ground floor level and the underside of the platform to the staircase and shall include a flood evacuation procedure for the use of the staircase in the event of a flood. The escape staircase shall be implemented in accordance with the approved details before any dwelling is occupied and shall continue to operate in accordance with the approved flood evacuation plan for the life time of the development unless otherwise agreed in writing with the Local Planning Authority.

Reasons: To reduce the risk of flooding to the proposed development and future occupants and to reduce the impact of flooding to the proposed development and future occupants. The information is being sought prior to commencement to ensure that an appropriately designed means of escape is provided to serve the proposed dwellings.

5 Notwithstanding the details shown on the approved plans prior to the commencement of the development, a statement of crime prevention measures to be incorporated in to the design of the scheme together with a detailed method statement for the implementation of the measures shall be submitted to and agreed in writing by the LPA. The scheme shall include (but is not restricted to):

- -Details of lighting to the first floor public walkway
- A CCTV security camera system covering the walk way and other areas identified as vulnerable as part of the crime prevention statement.
- Measures to improve the glazing along the first floor walk way
- Details of enclosure and security of the cycle parking in the multi storey car park and the locking mechanism for doors within the cycle parking located in the existing lift shaft and bin store.
- Details of security measure to be placed on the opening to be created on to the platform of the escape stairs.

Thereafter the scheme shall be implemented to the satisfaction of the Local Planning Authority before any dwelling is occupied. Crime prevention measures shall accord with the advice set out in the National Planning Policy Framework and comply with the aims and objectives of 'secure by design'.

Reason: In the interest of the amenity of existing and future occupiers of Rowntree Wharf and to comply with the requirements of the National Planning Policy Framework and Planning Policy Guidance.

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## **7.0 INFORMATIVES:**

Note the application details confirm that there will be no requirement for new ventilation or other services to be vented through new wall or roof interventions. Further listed building consent would be required for any such works. Windows are not to be altered. Further listed building consent would be required for works to the existing windows

### **Contact details:**

**Author:** Diane Cragg Development Management Officer (Mon-Thur)

**Tel No:** 01904 551351