

## COMMITTEE REPORT

**Date:** 30 November 2017      **Ward:** Guildhall  
**Team:** Major and      **Parish:** Guildhall Planning Panel  
Commercial Team

**Reference:** 17/01906/LBC  
**Application at:** Rowntree Wharf Navigation Road York  
**For:** Internal alterations associated with partial conversion of ground and first floor offices to 14 no. apartments.  
**By:** Piccadilly One Ltd  
**Application Type:** Listed Building Consent  
**Target Date:** 2 October 2017  
**Recommendation:** Approve

### 1.0 PROPOSAL

1.1 Rowntree Wharf is a Grade II listed building and due to its height and enclosure by Wormalds Cut and the River Foss on three sides, is a landmark building in this part of the city. It was constructed as a roller flour mill by W G Penty for Sidney Leetham in 1896 and converted (upper floors) to flats in 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 1990s-built multi storey car park 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 (17/01905/FULM).

1.2 Listed building consent is sought for the change of part of the ground and first floor of the building to form 14 additional residential units. The application originally sought change of use to 23 units, however the plans were changed in the light of comments made. This part of the building has most recently been used for office accommodation.

1.3 The proposal will provide 8 studio apartments on the ground floor together with 5 studio apartments and one no. one bedroom flat on the first floor.

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

- Removal of modern internal partition walls and replacement with new partitions to create the individual residential units.
- Removal of a modern metal staircase
- Alteration to the existing suspended ceiling.
- Alterations to the bin storage arrangements

- Crime prevention measures including upgraded lighting and CCTV and clear safety film to windows.
- No alterations are proposed to the existing window openings.

## PLANNING HISTORY

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.

15/0189/ FULM and 15/01892/LBC - planning and listed building consent granted for alterations to the ground and first floor to create 34 flats.

17/01533/FULM and 17/01535/LBC variation of condition 2 approved to enclose some columns within the ground and first floor.

17/0188/FUL and 17/01889/LBC planning and listed building consent approved for the alteration of the layout granted by applications 15/01891/FULM and 15/01892/LBC, to provide 5 additional units.

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 GMS Constraints: City Centre Area 0006

Conservation Area GMS Constraints: Central Historic Core CONF

Listed Buildings GMS Constraints: Grade 2; Rowntree Wharf Navigation Road

### 2.2 Draft Development Control Policy:

CYHE4 Listed Buildings

### 2.3 Pre-Publication Draft Local Plan 2017:

Policy D5: Listed Buildings.

## 3.0 CONSULTATIONS

### INTERNAL

## Design Conservation and Sustainable Development - Conservation Officer

3.1 The lower floors have most recently been in use as offices, and retain large open spaces punctuated by cast iron columns, and staircases between the floors. There has been subdivision by partitions and insertion of suspended ceilings 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 use 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 (15/01892/LBC 15/01891/FULM).

3.2 Consent was subsequently granted for residential conversion. The current scheme proposes conversion of the remaining office space on the same two floors. Whilst the 2015 conversions have retained important fabric, for example, the floor structure, cast iron columns and brickwork of the buildings envelope, the spacious quality of the internal spaces has been undermined. This spaciousness is in any event less pronounced in the parts of the building included in the current applications due to existing subdivision for office use. With the spacious character lost, and the structural fabric preserved, DCSD does not object to planning permission and listed building consent being granted.

### EXTERNAL

#### Historic England

3.3 On the basis of the information available to date, Historic England does not wish to offer any comments.

#### York Civic Trust

3.4 The conservation of the building holds important evidential significance of York's rich industrial and social history. The Trust laments the application's desire to alter the 1989 permitted office use on the ground and first floors for residential use. The continued use of some aspect of the building for employment would be more in keeping with its historical function. Furthermore, the public walkway on the first floor currently affords evidence of the internal openness of the former mill to the passer-by, the character of which would be lost through this proposal. Indeed, the desire to refurbish the layout to accommodate what are almost entirely studio flats (over half of which are of a very small nature and less than 30m<sup>2</sup> gross internal floor area) will disrupt the personality of the building and cheapen what is an important and prominent historic landmark in York.

## **4.0 APPRAISAL**

### POLICY CONTEXT

Application Reference Number: 17/01906/LBC

Item No: 3e

4.1 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.

4.2 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).

4.3 City of York Council does not have a formally adopted Local Plan. Nevertheless The City of York Draft Local Plan Incorporating the Fourth Set of Changes Development Control Local Plan (Approved April 2005) was approved for Development Management purposes (the DCLP).

4.4 The 2005 Draft Local Plan (DCLP) does not form part of the statutory development plan for the purposes of S38 of the 1990 Act. Its policies are however considered to be capable of being material considerations in the determination of planning applications, where policies relevant to the application are consistent with those in the NPPF, although it is considered that their weight is limited. Policy HE4 Listed Buildings seeks to ensure that consent is only granted where there is no adverse effect on the character, appearance or setting of the listed building.

4.5 Consultation on a new pre-publication draft local plan and revised evidence base concluded on 30th October 2017. The emerging Local Plan policies can only be afforded weight in accordance with paragraph 216 of the NPPF and at the present early stage in the statutory process such weight will be limited. The evidence base that underpins the proposed emerging policies is also a material consideration in the determination of the planning application. Policy D5: Listed Buildings also seeks to preserve the significance and heritage values of the building, and require the submission of an evidence based heritage statement and justification.

4.6 The evidence base includes:

Strategic Housing Land Availability Assessment (SHLAA) (2017)

Strategic Housing Land Availability Assessment (SHLAA) Annexes (2017) (18.67 MB - PDF)

Heritage Impact Assessment (2017) (2.36 MB - PDF)

Heritage Impact Assessment Annexes (2017) (5.61 MB - PDF)

## ASSESSMENT

4.7 The scheme would not lead to the loss of any significant features. The current application seeks to retain the original brick walls within apartments rather than cover in dry lining as previously approved.

4.8 In accordance with paragraph 132 of the NPPF, great weight has been given to the conservation of the building and those elements of its significance. The proposal will also put the building to a viable use which is consistent with the buildings conservation. Account has been taken of the previous subdivision of the building by partitions and insertion of suspended ceilings in connection with the 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 use 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.

4.9 The current scheme proposes conversion of some of remaining office space on the same two floors as residential accommodation that was approved in 2016. The 2015 conversions have retained important historic fabric within the building, such as the floor structure, cast iron columns and brickwork of the buildings envelope. Officers have taken account of the objection from York Civic Trust in relation to the loss of employment use that they consider is more in keeping with the character of the building, public views from the walkway, and subdivision 'cheapening' the character of the building. However the number of units has been reduced from 23 to 14, and sub division of large areas of the building have previously been approved. Given this it is not considered that the views from the walkway to the apartments that constitute this application will have an impact on significance. Furthermore, the existing spaciousness within the building is less pronounced in the parts of the building subject to the current applications. This is due to the existing subdivision that was carried out for the office use. The greater subdivision of the building will result in some harm, however with the retention of the historic fabric, and the existing subdivision that has occurred; the harm is considered to be at the lower end of less than substantial. The minor change to the refuse store will have very little impact. The revised plans that reduce the number of flats being created from 23 to 14 has further reduced the level of harm identified.

4.10 The Strategic Housing Land Availability Assessment (SHLAA) (2017) is part of the evidence base for the emerging local plan. Whilst it does not carry much weight at this stage, it demonstrates the need for residential accommodation within the city. The site is located in a very sustainable location, with good access by foot, cycle or public transport to services, shops and employment opportunities. In view of this it is considered that the delivery of 14 dwellings in the manner proposed would create a significant public benefit, and will put the building to a use that is consistent with its conservation. In view of this, it is considered that the public benefits, outweigh the limited harm identified.

## **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 Wormalds Cut and the River Foss on three sides, is a landmark building in this part of the city.

5.2 Special regard has been given to the desirability of preserving the listed building, its setting or any features of special architectural or historic interest as required by Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Great weight has been attributed to the harm identified, however in view of the significant changes that have already occurred within the building, by virtue of the level of sub division, it is considered that the harm is at the lower level of less than substantial. Officers therefore consider that the benefits of delivering much needed residential accommodation in a sustainable location are sufficient to outweigh the limited harm identified. The proposal complies with the guidance within Section 12 of The NPPF, and Policy HE4 of the DCLP, and Policy D5 of the Pre-publication Draft 2017.

## **COMMITTEE TO VISIT**

### **6.0 RECOMMENDATION:** Approve

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

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

TCA-288-005 2020 REV A Site Plan  
TCA-288-005 2001 REV A Ground Floor  
TCA-288-005 2002 Rev A First Floor  
TCA-288-005 2040 Typical Sections

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

## **7.0 INFORMATIVES:**

### **Notes to Applicant**

#### **Contact details:**

**Author:** Rachel Smith Development Management Officer  
**Tel No:** 01904 553343