

COMMITTEE REPORT

Committee: Planning Committee **Ward:** Micklegate
Date: 3rd February 2010 **Parish:** Micklegate Planning Panel

Reference: 09/01612/CAC
Application at: Factory Bishopthorpe Road York YO23 1NA
For: Demolition of the central services building
By: GHT Developments LLP
Application Type: Conservation Area Consent
Target Date: 22 October 2009

1.0 PROPOSAL

1.1 Conservation Area Consent is sought for the demolition of the Central Services Building (CSB). Details of the replacement building form part of the hybrid application (09/01606/OUTM). The latter application describes reuse of the site for a hotel, providing 9,697 m² of floor space, over 4-storeys.

1.2 The parallel application (09/01606/OUTM) seeks part full and part outline planning permission for the demolition and removal of various extensions and the redevelopment of the site. Further applications for works to adjacent listed buildings are also being considered in parallel. These applications are being considered collectively as identified in PPG15 paragraphs 3.2 & 4.27.

1.4 This application considers the impacts of demolition upon the historic character and appearance of the site which has a number of listed buildings adjacent and is within a conservation area, and on the wider regeneration proposals associated with the redevelopment of the former Terry's site.

1.5 Demolition of the Central Services Building (CSB) is required to enable regeneration of the Terry's factory site through a comprehensive Masterplan proposal for mixed use development.

SITE LOCATION AND HISTORICAL BACKGROUND

1.6 The site lies to the south of the City Centre on the edge of South Bank, which is predominantly a residential area. The site comprises of two areas either side of Bishopthorpe Road. The area to the west of Bishopthorpe Road is the main factory site that has a total area of approximately 10 hectares (24.9 acres) and comprises the original 1920's factory buildings (Grade II listed) and single storey factory and warehouse buildings which have been added to the site in more recent years. The site forms part of the southern urban edge of York with predominantly open land to the south. The views towards the site from the south are important, as are views from Tadcaster Road, Bishopthorpe Road, Fulford and a number of other key locations. The factory buildings form a distinctive and iconic landmark that defines the character of the area and helps orientate the visitor. York Racecourse lies to the west of the site. The racecourse grandstands are also dominant features in the landscape. A Conservation Area, designated in 1975, includes both the Terry's factory and the Racecourse buildings. These buildings are of special importance because of their

prominent position in a parkland setting within the City of York Green Belt. The developable site that the Development Brief addresses is the main factory area to the west of Bishopthorpe Road and, limited by green belt policy, the existing car park to the east of Bishopthorpe Road.

1.7 To the north of the site lies the predominantly residential area of South Bank which is characterised by grid form street pattern and tight-knit terraces of Victorian and Edwardian houses. Campleshon Road has two focal points for the local community with St Chad's Church and Knavesmire Primary School.

1.8 The area situated to the east of Bishopthorpe Road is known as Nun Ings and is slightly larger at 10.45 hectares (25.81 acres). The area sits within the Green Belt identified in the Local Plan. At present the majority of the area is open space apart from 0.86 hectares (2.12 acres) that was used as a car park for staff of the Terry's factory. Residential development along Bishopthorpe Road forms the built boundary to the north, Bishopthorpe Road lies to the west and open space to the south. There is a pedestrian link to the river immediately adjacent to the site.

1.9 The site boundaries are well defined by mature trees within the site and the brick wall boundary adjacent the former headquarters building. The metal fence bounding the north part of the main site and the car park along Bishopthorpe Road, is less in-keeping with the area. The garden to the south east of the factory site forms part of the planned setting for the complex. The listed gate piers at the Bishopthorpe Road entrance to the factory complex are an important element of the sites' character.

1.10 The factory complex can be seen through the break in trees at the entrances off Campleshon Road and Bishopthorpe Road. The site opens up along its western boundary with the Racecourse.

1.11 There are foot / cycle paths adjacent to the site that provide sustainable off-road routes in and around York, but which could benefit from extension of the network.

1.12 Within the site, buildings have been set out in a rectilinear manner. The original 1920s buildings still dominate, creating a massing towards the central spine running from the access from Bishopthorpe Road, with the clock tower as the focal point of the group. From this position at the main entrance gate the avenue of buildings present a strong unified arrangement. This character is partly due to the linear layout and the shared architectural design of the buildings of otherwise diverse form.

BUILDING/SITE DESCRIPTION

1.13 The Central Services Building derives from the modernist school of architecture and dates from the early 1970's. The design is typical of that era. The building is utilitarian in character being 3-storeys in height together with walkway connections to the adjacent Listed Buildings of the Multi Storey Factory (MSF) and Head Office.

1.14 On the main elevations, the rhythm of the building is dictated by curtain walling in alternating solid and glazed bands at first and second floor levels. At ground floor level, the elevation is partially recessed enabling supporting pillars to be exposed.

1.15 On the elevation that is opposite the MSF overlooking the main access road, the façade is interrupted by a glazed link to the MSF connected by a stairwell extension of the CSB, all of a utilitarian character and appearance. A bridge also links the building with the former Headquarters Buildings (FHQ).

1.16 Panels of red brick have been incorporated into the building along with walling and fenestration bands. A comprehensive photographic survey of the building is contained at Appendix 6 of the Environmental Statement that accompanies the associated planning application.

1.17 The historic factory buildings and the Central Services Building occupy sites either side of the main drive in the southern half of the original factory site. This area is included within the Racecourse and Terry's Factory Conservation Area. A conservation area appraisal describing the character of the designated area was completed in June 2006, and the historic factory buildings form one of two substantial groups of buildings within the wider landscape setting outside the site.

REASON FOR REFERRAL TO COMMITTEE

1.18 This application is reported to Planning Committee due to officer discretion. This application forms part of the wider proposal/s for the development of Terry's Factory site which are being considered by Planning Committee.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Conservation Area GMS Constraints: Racecourse 0035

Contaminated Land GMS Constraints:

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: Central Area 0002

Listed Buildings GMS Constraints: Grade 2; Terry's Of York Clock Tower
Bishopthorpe Road

2.2 Policies:

PLANNING POLICY

National Planning Guidance

2.1 PLANNING POLICY GUIDANCE NOTE 15: "PLANNING AND THE HISTORIC ENVIRONMENT" (PPG15). Central Government advice in relation to listed building control contained within this document states in paragraph 3.3 that whilst the listing of a building should not be seen as a bar to all future change, the starting point for the exercise of listed building control is the statutory requirement on local planning authorities to "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"

(Section 16 of the "Planning (Listed Buildings and Conservation Areas) Act 1990"). This reflects the great importance to society of protecting listed buildings from unnecessary demolition and from unsuitable and insensitive alteration and should be the prime consideration for authorities in determining an application for consent.

2.2 Paragraphs 4.25-4.29 of PPG 15 introduce controls over demolition of unlisted buildings in conservation areas. In exercising conservation area controls, local authorities are required to pay special attention to the desirability of preserving or enhancing the character or appearance of the area in question.

Yorkshire and Humber RSS

2.3 The Regional Spatial Strategy for Yorkshire and Humber was published in May 2008 and provides the regional policy context to 2026 in respect of the Historic Environment. Policy Y1 seeks to protect and enhance the nationally significant historical and environmental character of York, including its historic setting, views of the Minster and important open areas.

2.4 Policy ENV9 states that the Region will safeguard and enhance the historic environment, and ensure that historical context informs decisions about development and regeneration.

2.5 The policy states that plans, strategies, investment decisions and programmes should conserve the following regionally-distinctive elements of the historic environment, enhance their character and reinforce their distinctiveness. Nine regionally distinctive elements are cited including the street patterns, sky lines, views and setting of the historic City of York.

City of York - Draft Local Plan (April 2005)

2.6 Draft Local Plan policy HE2 of the City of York's Deposit Draft Local Plan (Fourth Set of Changes) states that within or adjoining conservation areas, and in locations which affect the setting of listed buildings, scheduled monuments or nationally important archaeological remains (whether scheduled or not), development proposals must respect adjacent buildings, open spaces, landmarks and settings and have regard to local scale, proportion, detail and materials.

2.7 Proposals will be required to maintain or enhance existing urban spaces, views, landmarks, and other townscape elements, which contribute to the character or appearance of the area.

2.8 Draft Local Plan Policy HE3 of the City of York Deposit Draft Local Plan (Fourth Set of Changes), states that within conservation areas, proposals for external alterations will only be permitted where full design details are submitted and the development does not adversely affect the setting and character of the conservation area.

2.9 Draft Local Plan Policy HE4 of the City of York Deposit Draft Local Plan (Fourth Set of Changes), states that consent will only be granted for development to a listed buildings where there is no adverse effect on the character and setting of the building. Supporting text of this policy further states that, it is important that extensions preserve

and enhance the special architectural or historic character of conservation areas and complement the character of listed buildings. Alterations will be expected to be of an appropriate design, using traditional natural materials. The proposal should also be in scale with the original building and respect its character.

2.10 Draft Local Plan Policy HE5 of the City of York Deposit Draft Local Plan (Fourth Set of Changes), states that Listed building Consent and/or Conservation Area Consent will not be granted for the demolition of listed buildings or buildings which positively contribute to the character or appearance of conservation areas. Where exceptionally demolition or partial demolition is permitted, no demolition shall take place until a building contract for the carrying out of works of redevelopment has been made and planning permission for those works has been granted.

York Local Development Framework

2.11 Work on the City of York's Local Development Framework is not far enough advanced to carry any weight in the consideration of these proposals. The Core Strategy Issues and Options paper was consulted on in September 2007. The Preferred Options is currently out for consultation until 28 August 2009.

2.12 The Site Allocations DPD Issues and Options paper was consulted on in May 2008 and the Preferred Options consultation is scheduled to take place in Autumn 2009.

Supplementary Planning Documents

2.13 There are no supplementary planning documents scheduled for publication at present.

Conservation Area Character Appraisal

2.14 The Racecourse and Terry's Factory Conservation Area was designated by the City of York Council in 1975. It is located in the south of the city centre and the majority of the designated area lies within the Green Belt. The factory was closed in Autumn 2005 and the Council prepared the Development Brief to guide the redevelopment of the site.

2.15 The document sets out the results of a character assessment of the Conservation Area and is in three sections. The first is a review of the Conservation Area boundaries and the second section sets the scene by analysing baseline factors for the entire Conservation Area and identifies three character areas. The third section sets out a detailed analysis of each of the character areas.

2.16 One of the requirements of the appraisal was a review of the Conservation Area boundaries to establish if there needed to be any changes. The boundaries along the northern edge of the Conservation Area exclude the houses and other buildings of South Bank (to the north of Campleshon Road) and the northern section of the former Terry's Factory from the designated area.

2.17 The boundary places the early buildings around the factory clock tower within the designated area but excludes the later structures to the north even where they are

attached to the boiler house. A short section of the boundary wall of the factory north of the head office building on Bishopthorpe Road is excluded from the Conservation Area.

2.18 The early buildings within the Terry's site consist of:

- A head office facing Bishopthorpe Road;
- Time Office;
- Five Storey Factory (known as the Multi Storey Factory or MSF);
- North Light Shed;
- Boiler and Transformer House, with the boiler flue designed as a clock tower; and
- Liquor Store.

3.0 CONSULTATIONS

INTERNAL

Urban Design and Conservation

3.1 The Council's Conservation Officer does not raise any objections to the demolition of the CSB and its bridge links to the historic buildings as identified in section 1. The Conservation Area Appraisal identifies the building as making a negative contribution to the conservation area. The officer considers that the CSB and its extensions detract from the Conservation Area and their removal would have a positive impact upon the Conservation area and the setting of adjacent listed buildings.

EXTERNAL

Bishopthorpe Parish Council

3.2 The Parish Council did not object to this proposal.

English Heritage (EH)

3.3 EH raised no objections to the removal of the modern buildings within the site.

Interested parties

3.4 Comments were received from other consultees, however these did not relate to Listed Building matters.

3.5 2 site notices were posted regarding the proposed development and also notifying of development within the Conservation Area. No comments have been received concerning this application.

4.0 APPRAISAL

4.1 The following key considerations are relevant in considering the proposals for the demolition of the central services building:

- The contribution of the building to Conservation Area Character and its appearance;
- The Impact of the building on the setting of surrounding Listed Buildings; and
- The replacement proposals

Demolition

The Central Services Building (CSB) was introduced into the Terry's factory complex in 1971 to provide a canteen for 600 workers, workshops and offices. Its design is typical of the 70's, i.e. it is of a modernist design that makes little reference to its surrounding context.

Of particular significance are the first floor level walkways which connect the CSB to the former Head Office Building and Multi Storey Factory building both of which are Listed Buildings. The walkways are glazed with curved roofs, being typical of late C20th design and do not relate to the historic character and appearance of the either the Head Office of MSF. In particular the walkway between the CSB and MSF interrupts a key east to west view along the main access road disrupting the rhythm of the northern façade of the MSF and consequent views along the road. In addition the stairwell that protrudes from the CSB provides further interruption and discontinuity in this key vista.

The building is also attached to the liquor store (a grade II Listed Building) by virtue of modern extensions to the rear of the building. Nonetheless the CSB does not relate to this original building and detracts from the design quality and features of it.

The character, appearance and setting of the surrounding Listed Buildings are adversely affected by the existence of the CSB and associated Walkways.

Although the CSB occupies a position on the main east-west driveway amongst the historic factory buildings it is considered to make a negative contribution to the character of the area, being related neither historically nor architecturally to the group of earlier buildings. The building was designed by the local firm of Tom Adams Associates and its design is typical of the early 1970s. It ignores the architectural style of the earlier buildings and is constructed of 3 floors with a concrete frame and waffle slabs with horizontal strip windows on the upper two floors and the ground floor is set back behind columns. The materials are mainly glass and "Polystone*" cladding with a small area of brickwork intended to relate to the materials of the earlier buildings on site. In its design, use of materials and general horizontal emphasis the building is unlike its pre-existing neighbours, although "Yorkshire Architect" magazine featured the building as its industrial building of the year in 1971.

The CSB offers some enclosure to the main access drive although the stair-tower breaks forward of the general building line and the later bridge addition linking the multi-storey factory interrupts the long view down the drive towards the racecourse buildings. The conservation area appraisal states (para 9.18) that "the 1970s building on the north side of the main access road, together with its two bridge links, has a detrimental impact on the appearance of the area because of its uncharacteristic materials, horizontal emphasis and expressed frame. The bridge link to the five-storey factory is particularly intrusive as it disrupts the view west from the main gates". Map

10 of the appraisal also shows the building and later attachments as having a negative impact on the appearance of the conservation area. Also photographs in plates 57 & 58 of the appraisal show the negative impact of the 1970's building and its attachments on the views and setting of the headquarters building and clocktower as seen from the main gates.

It is considered that the CSB does not make a positive contribution to the character and appearance of the conservation area in the factory sub-area. In addition a number of factors associated with the CSB have an adverse impact on the setting of the listed buildings and these are: the modernist architectural design, the footprint which intrudes on the main access drive and steps in front of the historic building alignment, and the damaging attachments which link the building to its neighbours.

PPG 15 para 4.27 states that where an unlisted building makes little or no contribution to the character or appearance of a conservation area the local planning authority is entitled to consider the merits of any proposed replacement scheme before determining whether consent is given for demolition. Local Plan Policy HE3 states that applications in conservation areas will only be considered if full details are included. The hybrid application for the wider regeneration of the former factory site provides details in this respect through the Parameters Plan and Table, the Masterplan and the Design Code. The additional section 5 of the Design Code sets out design parameters for the site (new hotel). Any proposed building will be required to demonstrate how it mends the street elevation. It should also show how it relates to the scale, massing, materials detailed emphasis etc of the adjacent listed buildings. The Masterplan is necessarily indicative as end users have not been identified at this stage.

In summary the CSB detracts from the character and appearance of this part of it. This is identified within the Conservation Area Appraisal and the building appraisal contained at Appendix 1. As this is the case demolition of the building will not harm the character of the Conservation Area and is acceptable, meeting the provisions of PPG15 and local plan policies HE3 and HE5.

As the existing building does not make a positive contribution to the conservation area it is considered inappropriate to impose a condition preventing the demolition of the building in advance of redevelopment proposals gaining consent. Should conservation area consent be granted for demolition

The application documents outline a replacement building for use as a hotel over a maximum of 4-floors. Proposals indicate that the building would be an independent structure with a frontage onto the main east-west access drive. The footprint would respect the historic building alignment providing continuity of enclosure along the north side of the space. The 4-storeys of accommodation proposed as maximum would represent an increase of a storey on the existing building height and without full details the overall effect on the street-scene cannot be determined. However the following factors should be considered in judging the relative merits of this proposal:

- at a maximum of 4- floors the height of the hotel would be just over half the height of the Multi-Storey Factory building; so it would not compete with this dominant building;

- at present the buildings on the north side of the street have varying roof heights and they use scale differently;
- the increased height resulting from the proposed hotel building would be ameliorated by being set at ground level rather than at the raised level of adjacent listed buildings to east and west; and
- although the proposed roof height would exaggerate the variety in massing and height of buildings on the north side of the access drive, it would be possible to employ various architectural devices to unite the building with its neighbours.

With respect to the latter point the design code has been strengthened (additional section 5) to guide future redevelopment proposals towards better integration into the historic building complex. The criteria now include the use of compatible materials, use of set-backs at upper level and the introduction of cornice lines/string courses/plinths or other devices, to anchor the new building into this specific location. Ultimately the Council may withhold planning permission if an unacceptable scheme comes forward at reserved matters stage. However it is considered that the strengthened principles for redevelopment of the site will assist in safeguarding the setting of the listed buildings and also in achieving preservation or enhancement of the character or appearance of the conservation area in future development proposals.

In summary, the design coding will ensure that the replacement building enhances Conservation Area Character and appearance and takes its place between a number of Listed Buildings. The proposals are therefore acceptable and meet the provisions of PPG15 and Local Plan policy.

The proposals seek to safeguard and bring back into use, buildings that are of National significance and are Listed in their own right. Within the context of this site, the proposal to demolish the CSB forms part of a wider comprehensive development of the whole site. The CSB is not listed and occupies a central location within the site that would prevent or at the very east interrupt the wholesale development of the site. Therefore on the basis of the limited historic interest of the building and the wider regeneration benefits that its removal would create, it is considered acceptable to demolish the structure in line with the provisions of PPG15 and local plan policy HE4.

5.0 CONCLUSION

5.1 It is considered that the proposals to demolish the CSB are an essential enabler to the redevelopment of the former Terry's site. The demolition of this non-listed building would contribute to the continuation of the site and the reuse of the adjacent listed building/s. The aforementioned proposals are therefore considered justified and would not adversely affect the special historic and architectural interest of the adjacent listed buildings or the character and appearance of the Conservation Area.

5.2 The proposed demolition of the CSB is considered to be acceptable and thus satisfies National Planning Guidance PPS1 and PPG15 and Regional Planning Guidance and Regional Planning Guidance within the Regional Spatial Strategy for Yorkshire and Humber, Y1 and ENV9 and policies HE2, HE3, HE4, and HE5 of the City of York Deposit Draft Local Plan (Fourth Set of Changes).

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

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

2 PLANS2 Apprvd plans and other submitted details

3 Prior to demolition works commencing, a method statement for the demolition of the building shall be submitted in writing to the Local Planning Authority. Demolition shall then be carried out in strict accordance with the written approved details from the Local Planning Authority.

Reason: So as to agree an acceptable method for demolition and reclamation of materials.

INFORMATIVE: It should include a section describing the approach to reclamation, storage and reuse of salvaged materials.

4 The connecting walkways/bridges from the CSB to the MSF and former Headquarters Building shall not be removed until either Listed Building Consent is obtained for each of the listed buildings, or alternatively full written and drawn details of the restoration of the respective facades is submitted. Schemes should be agreed in writing by the LPA.

Reason: To protect the adjoining listed buildings.

5 Appendix 6 of the submitted Environmental Statement provides a paper record of the building. An electronic copy of the information should also be provided within 3 months of the date of approval, to the Local Planning Authority.

Reason: To provide a record of the building.

7.0 INFORMATIVES:

Notes to Applicant

1. Reason for approval

In the opinion of the Local Planning Authority the demolition of the Central Services Building, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to adjacent Listed Buildings and the Racecourse and Terry's Conservation Area. As such this proposal complies National Planning Policy Guidance Note 15, Policies Y1 and ENV9 of the Regional Spatial Strategy for Yorkshire and Humber and policies HE2, HE3, HE4 and HE5, of the City of York Local Plan Deposit Draft, also

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