

COMMITTEE REPORT

Date: 19 August 2010 **Ward:** Micklegate
Team: West/Centre Area **Parish:** Micklegate Planning Panel

Reference: 10/01316/FUL
Application at: Reel Cinema Blossom Street York YO24 1AJ
For: Infill of alleyway to create retail unit.
By: Mr K C Suri
Application Type: Full Application
Target Date: 11 August 2010
Recommendation: Approve

1.0 PROPOSAL

1.1 The application relates to the Reel Cinema building. The building is an Art Deco styled, grade 2 listed building, built in 1937. The site is in the Central Historic Core Conservation Area.

1.2 The south side of the building has 2-storeys and provides 4 shop units at ground floor level. There is an alleyway between the units and the main cinema complex. Due to issues with security, it is proposed to infill this gap. The resultant space will provide a small retail unit. The approach to filling the gap involves a recessed shopfront on the front elevation, comprising of an entrance door and sidelight with transom windows above. At the rear a continuation of the existing brickwork is proposed, and a single sized entrance door, these would be recessed also.

1.3 The companion application for listed building consent is 10/01317/LBC.

1.4 The application is reported to sub-committee at the request of Councillor Brian Watson because of the listed building issue.

2.0 POLICY CONTEXT

2.2 Policies:

- CYHE3 Conservation Areas
- CYHE4 Listed Buildings
- CYGP1 Design
- CYP7B York City Centre and Central Shopping Area

3.0 CONSULTATIONS

Design, Conservation and Sustainable Development

3.1 Officers support the scheme in principle. However the detailing of the works need to respect the listed building. Officers suggest that either copying the detail of one of the original shopfronts, or introducing a virtually frameless, glazed structure, with signage inside is preferable for the front elevation. The rear of the unit should also be

recessed. This would assist in achieving a successful junction between the high quality banded brickwork of the original wall and the new brickwork, and could be understood as evidence of the former opening.

Environmental Protection Unit

3.2 No objection. Advise that the developer be made aware of the requirements for the control of noise on construction sites, as established in the Control of Pollution Act 1974.

Highway Network Management

3.3 No objection.

Micklegate Planning Panel

3.4 No objection.

Publicity

3.5 One letter has been received. It asked about the recent development of installing the additional screen, within unit 1 at ground floor level. A condition of that consent required that the existing external poster frames be relocated behind the window, which was to be blocked from inside, to allow the internal environment required for the extra screen. This has yet to occur (although the condition does only require this to occur before the screen becomes operational).

4.0 APPRAISAL

4.1 Key issues

- Principle of the proposed development
- Impact on the listed building and the conservation area
- Any amenity issues

Relevant planning policy

SP7b: York City Centre and the Central Shopping Area.

4.2 The policy states that the city centre shall be the focus for commercial, leisure, tourism, and retail development. Planning permission will be given for proposals which enhance the attractiveness and vibrancy of the city centre, where they accord with other policies of the plan.

PPS5: Planning for the Historic Environment

4.3 PPS5 requires that in determining applications affecting listed buildings, local planning authorities should take into account: the desirability of sustaining and enhancing the significance of heritage assets and the positive contribution that conservation of heritage assets and the historic environment generally can make to sustainable communities and economic vitality.

The Planning (Listed Buildings and Conservation Areas) Act 1990).

4.4 The act makes it a statutory requirement for LPA's to pay 'special' attention to at least preserve a listed building or its setting or any features of special architectural or

historic interest which it possesses and the character and appearance of conservation areas.

Other policies of the DLP

4.5 GP1: Design covers all development proposals and requires that development does not have an adverse impact on visual and residential amenity. Policies HE3 and HE4 seek to preserve the character and appearance of conservation areas and listed buildings.

Principle of the proposed development

4.6 The site is within the defined city centre, as allocated in the DLP (Draft Local Plan), where retail use is appropriate according to policy SP7b of the DLP.

Impact on the listed building and the conservation area

4.7 There is reasonable justification for the development, as required by PPS5, in that it will overcome issues regarding crime and anti-social behaviour. The development will not have an adverse impact on the function of the building, and due to its location and scale, provided the detailed design is suitable, there would not be an adverse impact on the historic and architectural interest of the listed building. As such the development fits the criteria established in PPS5 in that it would not unduly harm the appearance/character of the listed building, it would improve its economic viability and the general character of the area.

4.8 It is proposed the shopfront is recessed within the gap. Originally this area was an alleyway and each of the shop units appeared as punched openings around their brick framing, there was glazing above the shopfront windows and doors, not large fascia panels. Preference is to restore this appearance, which is integral to the overall architecture of the building. The original drawings have been amended so transom windows are above the entrance door and sidelight but officers consider work is still required on the proportions of framing and the soffit between the glazing and brickwork. However, the large scale detailing can be agreed through a condition. At the rear the brickwork that would infill the gap will be recessed, to identify the change and as it is unlikely the brickwork/mortar joints will exactly match.

4.9 Subject to agreement of details, the works respect the appearance of the main building, and would not detract from the appearance of the conservation area. The character of the immediate environment would be enhanced by infilling the alley, which presently has a detrimental impact in terms of its unsightly appearance and as it is a security risk.

Any amenity issues

4.10 The shop is for retail purposes, and in an area where there is activity through the day and evening. The nearest residential premises would not experience a material change in amenity as a direct consequence of the proposed scheme. A retail premises would not typically generate any undue noise or activity that would materially affect neighbouring premises.

5.0 CONCLUSION

5.1 The scheme is welcomed as it improves the economic viability of the listed building and positively enhances the environment around it. The development can be accommodated without adversely affecting the architectural and historic interest of the grade 2 listed building. Overall the scheme accords with the relevant policy : PPS5 and GP1, HE3, HE4 and SP7b of the DLP.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

2 PLANS1 Approved plans

3 Details at a scale of 1:10 of the shopfront, to include front elevation and section drawings 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.

4 VISQ8 Samples of exterior materials to be approved

5 VISQ6 Infill brickwork to match

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 character and appearance of the listed building and the conservation area and residential amenity. As such the proposal complies with Policies SP7, GP1, HE3, and HE4 of the City of York Development Control Local Plan.

DEMOLITION AND CONSTRUCTION

Your attention is drawn to the requirements for the control of noise on construction sites, as established in the Control of Pollution Act 1974. This includes times of demolition, construction works, and ancillary operations, and operation of machinery.

Contact details:

Author: Jonathan Kenyon Development Management Officer

Tel No: 01904 551323