

**Planning Committee**

**24<sup>th</sup> November 2011**

**Assistant Director City Strategy (Planning and Sustainable Development)**

**York Central Historic Core Conservation Area Appraisal: Final draft for adoption**

### **Summary**

1. Conservation areas are 'areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance'. To enable City of York Council to better discharge its statutory responsibilities in this regard Alan Baxter Associates were appointed to undertake a detailed appraisal of the York Central Historic Core Conservation Area; including analysis of key strategic long distance and local views, in December 2010. The appraisal is jointly funded by English Heritage and City of York Council and is an important component of the evidence base for the City of York Local Development Framework. This final draft document has benefited from detailed input from a key stakeholder group, and extensive public consultation. Members are asked to approve proposed conservation area boundary changes and to formally adopt the York Central Historic Core Conservation Area Appraisal.

### **Background**

2. The York Central Historic Core Conservation Area was first designated in 1968 and extended in 1975 following public consultation. The boundaries have not been reviewed since that time and no detailed appraisal of character and special interest has been carried out.
3. Section 69 of the Planning (Listed Buildings and Historic Areas) Act 1990 requires local planning authorities to designate as conservation areas any 'areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or

enhance'. In addition, authorities are required to carry out periodic reviews of the conservation areas under their control.

4. Section 71 of the same Act requires local authorities to formulate and publish proposals for the preservation and enhancement of conservation areas and to submit them to a public meeting for consideration. Following designation the local authority, in exercising its planning powers must pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area (Section 72 of the Act).
5. The lack of an appraisal of the York Central Historic Core Conservation Area was identified as a key weakness in the evidence base for the Local Development Framework which informs the policies and proposals of the City Centre Area Action Plan and other Development Plan Documents and Supplementary Planning Documents.
6. York's Central Historic Core Conservation Area is a large and complex conservation area. Completing a comprehensive appraisal is a major undertaking and has required a significant commitment by the council. The appraisal has to go beyond mere description in capturing the very essence of special character and interest of the area and has needed to fully explain its value and significance.
7. Funding for this work was formally secured in February 2010 including a 50% grant from English Heritage.
8. Following a detailed tender process, Consultants Alan Baxter Associates were appointed in December 2010 to undertake the appraisal. Work commenced immediately.
9. The project is managed through the Renaissance Team by the Heritage Renaissance Officer reporting to a Project Management Team including English Heritage personnel and officers from Design, Conservation and Sustainable Development and Major Development Projects & Initiatives.
10. The Appraisal is divided into two parts. Part one deals with understanding the City, including a detailed assessment of twenty-four character areas and an analysis of key views and building heights. Part two deals with management recommendations setting out informed proposals for further work and action.
11. The Executive Summary is attached to this report as Annex 1.

12. The consultant's principles and priorities are attached as Annex 2.
13. The report's recommendations contained in part two of the appraisal include:
  - Changes to the Conservation Area boundary at seven locations, five extensions and two reductions;
  - Article 4 directions for a number of streets;
  - Major improvements to the public realm including; gateway streets, bars, traffic and movement.
  - Use of Regulation 7 of the Town and Country Planning (Control of Advertisements) Regulations 1992 to remove for sale and to let signs from the conservation area;
14. The consultation draft report was presented to members of the Planning Committee on the 15<sup>th</sup> of June with a request to approve public consultation.

### **Consultation**

15. A key stakeholder group, including council officers, has advised the project team throughout. The group comprises: The York Civic Trust; The York Archaeological Forum; The Conservation Area Advisory Panel; and, English Heritage.
16. Two stakeholder workshops have informed the project and a stakeholder draft has generated extensive comment which directly informed the public consultation draft of the document. The consultant's statement of community involvement is attached as Annex 3.
17. Following the 15<sup>th</sup> of June planning committee decision approving public consultation, the public consultation period ran from the 4<sup>th</sup> of July to 12<sup>th</sup> of August with a further extension to the 2<sup>nd</sup> of September.
18. A summary of the formal consultations and consultation events is attached as Annex 4.
19. The public exhibition at York Explore on the 15<sup>th</sup> and 16<sup>th</sup> of July was a success with approximately 100 people stopping by over the two days.

20. All formal consultation responses have been recorded in a spreadsheet matrix showing a clear audit trail from comment through to proposed action. The matrix is attached as Annex 5.
21. A wide variety of people stopped to discuss the city and add sticky notes to a large aerial photograph of the conservation area. These ranged from members of local planning groups and amenity societies to individual residents. A group of Walmgate residents for instance were particularly interested in getting a point across about traffic levels on Walmgate and tour buses in particular. The appraisal was amended to ensure their concerns were highlighted.
22. Only one individual comment expressed negative comments about the conservation area and the appraisal. Apart from this one individual, there was overwhelming support for, and interest in, the appraisal and its recommendations.
23. Two resident groups were specifically visited as follow up from the exhibition. They were: The Navigation Road & Walmgate Residents Association - because it was a highly mixed residential area within the city walls; and, the Bishophill Action Group - because they are a very active conservation group in a residential area of the walled city.
24. Overall, there were no negative written comments and the appraisal has been overwhelmingly welcomed. In particular, the readability of the document, its structure and presentation has come in for high praise.
25. There was some concern raised by a number of commentators about resourcing and the prioritisation of actions. In the consultation document there was an action plan but this has now been withdrawn and will instead be presented to members separately in the near future.

### **Options**

26. Option 1 – approve the document, including the proposed boundary changes, for adoption and publication on the council's web site;
27. Option 2 – approve the document subject to amendments (Members are advised however that at this stage, following extensive consultation, only minor corrections could be accommodated without extra resources being made available) ;
28. Option 3 - do not approve the document for adoption.

## Analysis

29. Adoption of the appraisal will ensure publication by January/February 2012 leaving sufficient time for consideration by the City Centre Area Action Plan which is timetabled for delivery of a consultation draft by May 2012. It will also ensure that the appraisal can be fully considered as part of the public examination of the Local Development Framework.
30. Members are asked to note the following issues from the appraisal recommendations:
- Key views - the 26 key views identified in the report are not an exhaustive list and there were many more suggestions through the consultation process. However, the list was agreed by the key stakeholder group. Other key views can be identified at a later date and brought forward on a case by case basis.
  - Boundary changes - following consultation, the Nunnery Lane/Price Lane change that was in the consultation draft has been removed. English Heritage were uncomfortable with this because of the proximity of the city wall and the benefits of continuing to include these areas for conserving the setting of the walls. There were one or two requests to increase the conservation area further around St John's Road but the consultants did not think this was justified. One correspondent queried the addition of the Scarcroft Hill area into the conservation area but the consultants felt that their justification was strong. All other proposed changes have been welcomed by the majority of consultees. The boundary change map is attached as Annex 6.
  - Article 4 directions - there is a strong recommendation for the use of Article 4 directions to remove some permitted development rights from property owners so that the special character of specific streets and groups of streets is conserved and enhanced. There have been few concerns raised during the consultation. Members are advised that implementation of this recommendation would require a separate, and more targeted consultation with individual property owners. The relevant streets are shown on the map in Annex 1

- Advertising - the appraisal makes a strong recommendation to address the use of advertising in the conservation area especially for sale, to let boards as well as 'A' boards. This will require further consideration and consultation.
- Action plan - the consultation draft contained an implementation and action plan that prioritised a work programme for the council and its partner. This has been omitted from the final draft. Delivery of the appraisal's recommendations will be through the City Centre Area Action Plan, the Public Space Strategy, Heritage Strategy and implementation of the Movement & Accessibility Framework.
- Editing - the document has been edited by several individuals and the majority of factual and typographical errors have been amended as well as errors in some of the graphics. There will almost certainly be one or two errors still remaining but they will be of limited consequence. This document has been designed to take account of future revision should it become necessary through our enhanced understanding or the full implementation of its recommendations.
- The document has been informed by over 500 separate comments from largely external consultees. The majority of these have been incorporated into the revised document where relevant and appropriate.
- Many of the recommendations are either part of new council initiatives or are part of ongoing work streams. For instance: the public space (realm) strategy is being currently worked up and the council's sustainability team will be looking into climate change and historic buildings as part of its ongoing work into sustainability.
- Building heights. The report includes a recommendation to, introduce a general presumption against development of more than 4 storeys in the Central Historic Core Conservation Area and 5 storeys beyond it, to help protect and enhance the York skyline. Members are asked to note that this presumption would introduce a much needed default policy position that gives a very clear message to

prospective developers in the context of the six principle characteristics detailing York's special character (Heritage Topic Paper currently being consulted on as part of the Local Development Framework Core Strategy evidence base). Prospective developers will need to clearly explain how a higher building would not detract from York's skyline and would instead enhance its special character.

## **Council Plan**

31. York Central Historic Core Conservation Area Appraisal will deliver against "The Sustainable City". It will also form an essential part of the Local Development Framework evidence base and will complement, "York New City Beautiful: Toward an Economic Vision". It also complements the Movement and Accessibility Framework.

## **Implications**

32.

- **Financial** There are no financial implications involved in the adoption of the appraisal. Responses to delivering the appraisal's recommendations will be managed through re-profiling existing staff and other council resources.
- **Human Resources (HR)** No implications.
- **Equalities** An Equality Impact Assessment (EIA) has been completed for this project and identified that some proposed outcomes such as a Public Space Strategy and Streetscape Manual will require separate EIA's as there will be particular issues around equalities to deal with.
- **Legal** There are no legal implications.
- **Crime and Disorder** No known implications.
- **Information Technology (IT)** The Council web site will be used to host the final document.
- **Property** No implications.

## **Risk Management**

33. There should be no risks at this stage.

## Recommendations

34. Members are asked to approve the adoption of the York Central Historic Core Conservation Area Appraisal including the proposed boundary changes and to note the management recommendations to be progressed through the City Centre Area Action Plan.

### Reasons:

- The document has adopted a rigorous approach to the assessment of the York Central Historic Core Conservation Area, and is in accordance with relevant guidance documents;
- The document fulfils the council's obligations under sections 69, 71 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990;
- The boundary review has been carried out in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990 and the latest guidance documents from English Heritage;
- The document has been subject to intensive peer review through the key stakeholder group and an extensive public consultation;
- The appraisal is an essential evidence based document supporting the Local Development Framework and is necessary for the development and implementation of the City Centre Area Action Plan.

## Contact Details

### Author:

**Bob Sydes**

Heritage Renaissance  
Officer  
Renaissance Team  
City Strategy

Tel No.01904-551329

### Chief Officer Responsible for the report:

**Mike Slater**

Assistant Director City Strategy (Planning and Sustainable Development)

**Report  
Approved**



**Date** 14 November 2011



## **Specialist Implications Officer(s)**

none

**Wards Affected:** Guildhall; Micklegate; Fishergate and part Clifton.

All

**For further information please contact the author of the report**

### **Background Papers:**

There are no relevant background papers.

### **Annexes**

#### **Annex 1:**

Executive Summary.

#### **Annex 2:**

Consultants principles and priorities

#### **Annex 3:**

Consultant's statement of community involvement.

#### **Annex 4:**

Summary of formal consultations and events.

#### **Annex 5:**

Consultation responses

#### **Annex 6:**

Boundary change map

#### **Annex 7:**

The full report is available on the council's web site as several PDF documents. Please follow the link on the opening page on [www.york.gov.uk](http://www.york.gov.uk). A hard copy is also available in the Member's library as three printed volumes. No further printed copies will be available due to the cost of printing.