

Listed Buildings: Grade 2 Star; North Eastern Railway Co Offices Toft Green 0097

2.2 Policies:

CYGP1 Design
CYHE3 Conservation Areas

3.0 CONSULTATIONS

Design, Conservation and Sustainable Development

3.1 No comment

Micklegate Planning Panel

3.2 The panel does not object to the principle of the demolition of the existing toilet block and the proposed landscaping to Tanner Row. However, we do object to the proposed relocation of the public conveniences to Rougier Street. It is the view of the panel that this is an inappropriate location for such services. It is the view of the panel that the proposed public conveniences would reduce the amenity of what is already a very busy pavement area due to the many bus stops here. The panel also notes objections have been made by local traders.

The panel notes the reduction in number of toilets. The May 2013 York City Centre Access and Mobility Audit noted an insufficiency of public toilets. Any replacement should therefore seek to retain or improve on the current level of provision.

Safer York Partnership

3.3 Comments awaited

York Access Group

3.4 Comments awaited

Publicity

3.4 Two objections have been received, on the following grounds:

- Smells and flies would lead to a loss of amenity, in the shop next door and for users of the bus stop.
- Placing the toilets next to a bus stop used by tourists and school children is not an appropriate site
- The existing location, which is more out of the way, is more appropriate.

4.0 APPRAISAL

KEY ISSUES

4.1 The material planning considerations are as follows -

- Impact on the character and appearance of the conservation area
- Provision of public facilities
- Amenity and crime and disorder

PLANNING POLICY

4.2 The Planning (Listed Buildings and Conservation Areas) Act 1990) requires that the local planning authority pay special attention to the desirability of preserving or enhancing the character and appearance of conservation areas.

4.3 The National Planning Policy Framework (NPPF) requires that proposals sustain or enhance conservation areas. It advises that local planning authorities should look for opportunities for new development within Conservation Areas to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

4.4 One of the core principles of the NPPF is that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. The NPPF advises that sustainable development includes the provision of accessible local services and that planning decisions should ensure developments create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

4.5 Paragraph 70 of the NPPF advises that planning decisions should aim to achieve places where there is no unnecessary loss of public facilities, and ensure facilities are able to develop and modernise in a sustainable way, so they are retained for community benefit.

4.6 The York Development Control Draft Local Plan 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.

4.7 Local Plan Policy HE5: "Demolition of listed buildings and buildings in Conservation Areas" advises that permission will not be granted for the demolition of buildings which positively contribute to the character and appearance of conservation areas. Buildings which do not make a positive contribution to the character and appearance of an area can be permitted, provided the removal, or replacement development would benefit the character and appearance of the area.

ASSESSMENT

Visual impact / effect on the conservation area

4.8 The existing toilet block is a C20 single storey red brick building. It does not make a positive contribution to the conservation area. The proposals would provide a boundary wall along Tanner Row, which would screen the parking area and preserve the street scene. Subject to appropriate materials being agreed there would be no harm to the appearance of the conservation area.

Provision of public facilities

4.9 The Public Realm section of the Council is currently undergoing a programme of works to improve the w/c facilities within the city centre. The strategy was approved by Cabinet in December 2013. The Access and Mobility Audit (referred to by the Planning Panel) raised issues not only with the number of facilities, but problems regarding maintenance, cleanliness, hours of operation and accessibility.

4.10 The proposals in this case are that the Tanner Row w/c facility is replaced by a facility within Roman House. The land would then be sold to the operators of Roman House (with the requirement for re-provision of the toilets part of the associated legal agreement). The Public Realm team have established the criteria for the design for the w/c facilities. The facilities will have controlled access (a fee is applicable for entry), the facilities will be available on a 24 hour basis. The facilities will be DDA compliant and there will be a facility for wheelchair users.

4.11 There would be no loss of a public facility and no conflict with paragraph 70 of the National Planning Policy Framework, as reference in 4.5 above.

Amenity / crime and disorder

4.12 The proposed w/c facilities would be serviced daily and have mechanical ventilation. There is no evidence that the facilities would cause smells that would impact on neighbouring amenity.

4.13 The toilets would have a controlled access and would benefit from natural surveillance. There is no evidence to demonstrate that this location would lead to any further problems with crime/anti-social behaviour in comparison to the existing toilet on Tanner Row.

5.0 CONCLUSION

5.1 The proposed development would accord with the National Planning Policy Framework. There would be no harm to the appearance of the conservation area, no adverse effect in terms of crime and disorder and the amenity of neighbours, and no loss of public facilities. Approval is therefore recommended.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

- 1 TIME2 Development start within three years
- 2 PLANS1 Approved plans - drawings 360/20(02) 510A, 511 and 512
- 3 Prior to completion of the development hereby approved the redundant vehicular crossing on Tanner Row shall be reinstated to match adjacent levels, as shown on drawing 510A.

Reason: In the interests of good management of the highway and road safety.

- 4 The boundary wall along Tanner Row shall be constructed within 3 months of demolition of the toilet block. The brickwork shall match the existing brickwork on Roman House in all respects i.e., bonding, size, colour and texture of bricks and the colour and finished treatment of mortar joints, to the satisfaction of the Local Planning Authority.

Reason: In the interests of the character and appearance of the conservation area.

- 5 The time frame for the replacement public conveniences, as shown on the approved drawings, shall be submitted to and agreed in writing by the Local Planning Authority prior to demolition of the existing facility. The replacement facilities shall be provided in accordance with the agreed time frame.

Reason: To ensure no unnecessary loss of public facilities in accordance with paragraph 70 of the National Planning Policy Framework.

7.0 INFORMATIVES:

Notes to Applicant

1. STATEMENT OF THE COUNCIL'S POSITIVE AND PROACTIVE APPROACH
In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraphs 186 and 187) in seeking solutions to problems identified during the processing of the application. The Local Planning Authority took the following steps in order to achieve a positive outcome: the use of planning conditions.

Contact details:

Author: Jonathan Kenyon Development Management Officer

Tel No: 01904 551323