
Appeal Decision

Site visit made on 23 July 2024

by David Reed BSc DipTP DMS MRTPI

an Inspector appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 30 August 2024

Appeal Ref: APP/C2741/W/24/3340772

Vehicle Repair Workshop, 12 The Crescent, York YO24 1AW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Network Rail (Infrastructure) Ltd against the decision of City of York Council.
 - The application Ref 22/01865/FUL, dated 30 August 2022, was refused by notice dated 3 October 2023.
 - The development proposed is the demolition of No 12 The Crescent.
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Decision

1. The appeal is allowed and permission is granted for the demolition of the Vehicle Repair Workshop, 12 The Crescent, York YO24 1AW, in accordance with the terms of the application, Ref 22/01865/FUL, dated 30 August 2022, subject to the attached schedule of conditions.

Main Issue

2. The main issue is the effect of the proposed demolition on the character and appearance of the Central Historic Core Conservation Area (the CHCCA).

Reasons

3. The proposal is for the demolition of a single storey disused industrial building at the end of The Crescent within the CHCCA on the edge of the Railway character area. The building, built in four stages between 1864 and 1963 and much altered over the years, is of brick and blockwork with part wood/slate and part steel frame/asbestos roof¹. Perhaps first used by a dairyman or coal merchant, subsequently labelled as a 'works', and latterly used as a vehicle repair workshop, the building was not built for railway purposes nor is there any record of such use but it was nevertheless acquired at some stage. It is now in considerable disrepair.
4. There is no dispute that the building has no architectural or historic merit nor forms part of the significant railway heritage of this part of the CHCCA. The Council's concern is that the demolition of the unlisted building in a CA, with no firm plans for the reuse or redevelopment of the site, would leave an open, vacant and potentially derelict site that would fail to preserve or enhance the character and appearance of the CA.

¹ The roof covering has recently been removed but this is unauthorised.

5. From the west the building is seen at the rear of an open yard which is visible from the roadway leading past various ancillary railway buildings towards large areas of surface station car parking. Seen from this direction the demolition of the unattractive building, creating a larger open area of hardstanding, would be barely registered by passers-by and have negligible impact on the character of the CA. However, the building forms a visual stop at the end of The Crescent and from this direction the proposal would lead to a gap in the built fabric.
6. The Crescent is a curving, dead end road within the Blossom Street & Nunnery Lane character area. Its buildings are varied, with the side/rear elevations of the Odeon cinema and a modern four storey office block set back on one side, but remnants of character on the other with a curving three storey Victorian terrace² leading to a two-storey brick gable fronted building, an open yard, single surviving 1860s terraced house and a recent two-storey redevelopment. The gable end of the vehicle repair workshop then completes the view. Whilst the character of the street is somewhat fragmented as it gets smaller scale towards the end, even the single storey appeal building contributes to a sense of enclosure that would be lost if the building is demolished. Demolition would open up an unsatisfactory view towards the railway associated buildings in the middle distance.
7. The gable end of the disused workshop is not attractive in itself but preserves the nature of the building's last use and the previous industrial type uses on the edge of the railway area. Perhaps unusually, the building behind, now roofless, is not seen in the view down The Crescent and the previously slate roofed section is hardly perceptible behind the recent redevelopment. Thus, whilst the gable end contributes, in its own way, to the character and appearance of The Crescent and the CA, the building behind does not. The latter is plainly a maintenance liability and, being owned by a public body, there would be some public benefit in its removal.
8. The Council do not object to the demolition of the building and its replacement in due course, and this is the intention of the appellant. The issue is the creation of an open, vacant and potentially derelict site for an indefinite period in the meantime. If full demolition is permitted, the site would be screened by a temporary hoarding, but however dressed up and well maintained, this would betray the presence of a vacant site behind. The result would be a failure to preserve or enhance the character or appearance of the CA in conflict with the legislative duty to protect such areas.
9. However, the demolition of the building but retention of the gable end would screen the open site and satisfy the legislative duty until such time as a redevelopment scheme is drawn up. This could be secured by condition. When consulted about this condition should the appeal be allowed, the Council were in support but the appellant expressed concern about its practicality. However, for the reasons set out above, such a condition is essential for the appeal to be allowed. Should it turn out to be impractical to retain the gable end, the whole building should be retained until redevelopment.
10. In addition to this condition, the standard implementation time limit should be imposed and a condition to define the approved plans in the interests of certainty. Further conditions are necessary to control the means of enclosure of the eastern and northern boundaries to ensure the satisfactory appearance

² Designated buildings of merit in the CA character appraisal

of the site and to require a demolition management plan to mitigate any contamination that may be found and to protect the amenities of the surrounding area during demolition works.

Conclusion

11. For the above reasons, subject to a condition to retain the gable end at the end of The Crescent, the proposed demolition would preserve the character and appearance of the CHCCA. The appeal can therefore be allowed.

David Reed

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall be carried out before the expiration of three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
Location Plan
Existing Site Plan
Proposed Site Plan
- 3) No demolition shall take place until a Demolition Management Plan has been submitted to and approved in writing by the local planning authority. The plan is to include hours of working and the remediation of any contamination that may be encountered. The plan shall then be strictly adhered to throughout the demolition process.
- 4) Notwithstanding the approved plans, no demolition shall take place until a scheme of works for the support from behind and retention of the gable end of the Camerons Auto Ltd building at the end of The Crescent has been submitted to and approved in writing by the local planning authority. The scheme of works shall then be carried out strictly as approved and the gable end retained and maintained until such time as the site is redeveloped.
- 5) No demolition shall take place until details of the boundary treatment for the eastern and northern boundaries of the site have been submitted to and approved in writing by the local planning authority. The boundary treatments shall then be implemented as approved.