

COMMITTEE REPORT

Date: 7 December 2011 **Ward:** Micklegate
Team: West/Centre Area **Parish:** Micklegate Planning Panel

Reference: 10/00965/LBC
Application at: Artful Dodger 47 - 51 Micklegate York YO1 6LJ
For: Replacement lighting to front
By: Mr Marc Allinson
Application Type: Listed Building Consent
Target Date: 24 June 2010
Recommendation: Approve

1.0 PROPOSAL

1.1 The Artful Dodger 47-51 Micklegate comprises a Grade II Listed 3 1/2 storey brick built Mid Victorian terraced property currently in use as a public house. It lies in a prominent location within the Historic Core Conservation Area and is adjacent to one of the principal approaches to the City Centre. Listed Building Consent is currently sought for erection of replacement external lighting to the main Micklegate elevation of the property. Consent has previously been refused in respect of a retrospective application for retention of the existing lighting at the property in October 2009 ref:- 09/01524/LBC. The current scheme has been amended to address concerns previously expressed in terms of its impact upon the elevational treatment of the property.

1.2 The proposal has been called in for consideration by the West and Centre Development Control Sub-Committee by Councillor Brian Watson to secure a consistent treatment with previous proposals at the site.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Areas of Archaeological Interest GMS Constraints: City Centre Area 0006

Conservation Area GMS Constraints: Central Historic Core CONF

Listed Buildings GMS Constraints: Grade 2; 47 Micklegate York YO1 1LJ 0186

Listed Buildings GMS Constraints: Grade 2 Star; 53 Micklegate York YO1 1LJ 0183

Listed Buildings GMS Constraints: Grade 2; 49 Micklegate York YO1 1LJ 0185

Listed Buildings GMS Constraints: Grade 2; 2 St Martins Lane York YO1 1LN 0188

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2.2 Policies:

CYHE2 Development in historic locations

CYHE3 Conservation Areas

CYHE4 Listed Buildings

3.0 CONSULTATIONS

INTERNAL:-

3.1 Design, Conservation and Sustainable Development raise no objection to the scheme as revised.

EXTERNAL:-

3.2 Micklegate Planning Panel were consulted in respect of the proposal on 14th May 2010. No response has been forthcoming.

4.0 APPRAISAL

KEY CONSIDERATIONS:-

4.1 KEY CONSIDERATIONS INCLUDE:-

* Impact upon the historic character and integrity of the Listed Building.

IMPACT UPON THE HISTORIC CHARACTER AND INTEGRITY OF THE LISTED BUILDING:-

4.2 Policy HE4 of the York Development Control Local Plan sets a firm policy presumption that Listed Building Consent will only be forthcoming for development involving internal or external alterations where it would not have an adverse impact upon the character, appearance or setting of the building. The application site is used fairly intensively as a public house. As a use involving the "night time economy" a degree of external lighting is generally considered acceptable. The applicant has previously expressed concern in respect of security at the main Micklegate entrance to the property particularly at busy weekend periods. The scheme therefore envisages the erection of four stone coloured light fittings beneath the existing first floor balcony in order to light the approaches to the main street entrance. A sectional drawing has been submitted which demonstrates that the fittings can be accommodated without projecting beyond the existing facade and the fittings have been located so as to point downwards and so minimise any visual

intrusion. The previously refused scheme involved the use of substantial black coloured "bulk head" style fittings that were directed into the street causing significant harm both , in terms of impact upon the elevation of the Listed Building and in terms of its relationship to the wider street scene through leakage of light. As amended it is felt that the proposed lighting would have a minimal impact upon the character and appearance of the Micklegate elevation of the building and that the terms of Policy HE4 of the Draft Local Plan have therefore been complied with.

5.0 CONCLUSION

5.1 The Artful Dodger 47-51 Micklegate comprises a Grade II Listed Mid Victorian brick built structure occupying a prominent location within the Historic Core Conservation Area adjacent to a principal approach to the retail core of the City Centre. Listed Building Consent is sought for the erection of four stone coloured light fittings beneath the first floor balcony directed downwards. The fittings would be closely contained below the level of the balcony and any impact upon the character and appearance of the elevation would be minimal. It is felt that the scheme as amended would safeguard the character and appearance of the Listed Building and that approval should therefore be recommended.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

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

2 The development hereby permitted shall be carried out in accordance with the following plans:-

Drawing Refs:715/2 H Dated 4th October 2011 and 715/Sk1 Dated 16th June 2010.

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

3 Notwithstanding the application details hereby approved full details of the proposed light fittings including their colour ,the location of associated wiring and a programme of implementation shall be submitted to and approved in writing by the Local Planning Authority prior to the development being first commenced. The development shall thenceforth be undertaken in strict accordance with the details thereby approved within six months of the date of this permission.

Reason:- To safeguard the historic character and integrity of the Listed Building and to secure compliance with Policy HE4 of the York Development Control Local Plan.

7.0 INFORMATIVES:

Notes to Applicant

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 impact upon the historic character and integrity of the Listed Building As such the proposal complies with Policy HE4 of the City of York Development Control Local Plan.

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