

COMMITTEE REPORT

Date: 15 June 2025 **Ward:** Guildhall
Team: East Area **Parish:** Guildhall Planning Panel
Reference: 25/00532/LBC
Application at: 1 Museum Street York YO1 7DT
For: Internal and external works in conjunction with proposed use as bookshop to include new/replacement platform lift, internal reconfigurations to include new staircase, alterations to internal openings and partitions, installation of shelving and other replacement joinery, redecoration and repair works, new/replacement plumbing and services and rainwater goods, secondary glazing and repairs to fenestration, new/replacement flooring, mezzanine structure and balustrade, and solar PV panels
By: Mr Hugh Topping
Application Type: Listed Building Consent
Target Date: 13 June 2025
Recommendation: Refuse

1.0 PROPOSAL

1.1 No.1 Museum Street is a Grade II listed building located at the junction of St Leonards Place, Blake Street, Museum Street, and Duncombe Place. The site is also positioned within the Central Historic Core Conservation Area. The building has been most recently used as the city's primary Tourist Information Centre with associated office space to the upper floors, although the building has been more recently vacated. The building was constructed 1860 as a register office by Rawlins Gould Architects with later alterations including during the 1930's.

1.2 The application seeks Listed Building Consent for internal and external works in conjunction with the proposed use of the building as a bookshop to include new/replacement platform lift, internal reconfigurations to include new staircase, alterations to internal openings and partitions, installation of shelving and other replacement joinery, redecoration and repair works, new/replacement plumbing and services and rainwater goods, secondary glazing and repairs to fenestration, new/replacement flooring, a mezzanine structure and balustrade, and solar PV panels.

1.3 Relevant Property History - Internal works to include removal of partition walls and modern shop fit-out, approved 19.03.2025, reference 25/00092/LBC.

Call-In Request

1.4 The application has been called-in to Planning Committee by Councillor Melly on the following grounds:

- Impact on the listed building.
- The long-term preservation of the listed building.
- Its impact on the setting of other listed buildings, including York Minster.

2.0 POLICY CONTEXT

2.1 Planning applications should be determined in accordance with the development plan unless there are material considerations that indicate otherwise. The development plan is the City of York Local Plan. In this instance, the application site does not fall within a district of the Authority subject to either a Neighbourhood Plan or Village Design Statement.

City of York Local Plan

2.2 The Local Plan was adopted on 27 February 2025. Local Plan Policy relevant to the determination of this application is detailed below:

2.3 Policy D5 (Listed Buildings) states that proposals affecting a listed building, or its setting will be supported where they (i) preserve, enhance or better reveal those elements which contribute to the significance of the building or its setting. The more important the building, the greater the weight that will be given to its conservation; and (ii) help secure a sustainable future for a building at risk; (iii) are accompanied by an appropriate, evidence-based heritage statement assessing the significance of the building. Changes of use will be supported where it has been demonstrated that the original use of the building is no longer viable and where the proposed new use would not harm the significance of the building. Harm to an element which contributes to the significance of a listed building, or its setting will be permitted only where this is outweighed by the public benefits of the proposal. Substantial harm or total loss of a listed building will be permitted only where it can be demonstrated that the proposals would bring substantial public benefits.

Planning (Listed Buildings and Conservation Areas) Act 1990

2.4 Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 creates a statutory presumption for the Local Planning Authority to have special regard to the desirability of preserving the Listed Building or its setting or any special historic or architectural features it possesses. As this is a statutory duty it must be given considerable importance and weight in determining the planning

application. Where harm is identified to a Heritage Asset there will be a strong presumption against the grant of permission.

2.5 The application site is also within a Conservation Area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid, also, to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG)

2.6 The NPPF sets out the Government's overarching planning policies and at its heart is a presumption in favour of sustainable development. The NPPF and the PPG forms a material consideration in planning decisions. Relevant policies and sections of the NPPF are as follows:

2.7 The legislative requirements of Sections 16 and 72 are in addition to the government policy contained in chapter 16 of the NPPF. The NPPF classes listed buildings and Conservation Areas as "designated heritage assets" and advises on heritage assets as follows. Paragraph 208 states that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal. They should consider the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal. Paragraph 210a) states that when determining planning applications, Local Planning Authorities should take account of sustaining and enhancing the significance of any heritage asset. Paragraph 212 adds that in considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed by or lost through alteration or destruction of the heritage asset or development within its setting.

2.8 Paragraph 214 states that where a proposed development will lead to substantial harm to or the total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Paragraph 215 states that where a development proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

3.0 CONSULTATIONS

INTERNAL:

Design, Conservation and Sustainable Development

Application Reference Number: 25/00532/LBC

Item No: 5b

3.1 Concerns raised with regard to the following:

- Mezzanine would erode evidence of the original layout of the building and the private administrative function of the rooms, harming the illustrative, historic value of the building.
- Low level bookshelves to first floor (obscuring original fireplaces) would diminish status of some of the most important rooms in the building. Revisions suggested to retain first floor fireplaces.
- Lift would have negligible harm to original layout of ground and second floor, however, would erode historic layout to the first floor.
- Fire lobby arrangement to ground and first floor would harm character of the building, as a result of their intersection into the proportions and architectural features of the existing spaces. Revisions suggested to minimise their impact.

3.2 Other new openings proposed would result in a loss of fabric but have a minor impact on the historic value of the building, resulting in negligible change to the circulation.

3.3 No objections raised to revised glazing and solar panels, subject to detail of the routes of cables and location of related plant, in association with the solar PV panels, to ensure any damage to features of special interest is avoided.

3.4 No objections raised to widening of Blake Street entrance to ground floor, given minimised loss of fabric and sense of enclosure maintained.

3.5 Structural works have been designed by a conservation accredited structural engineer. All of the new work is additive and is concealed within the existing floor structure. It is considered this aspect of the scheme would preserve the significance of the building.

EXTERNAL:

Guildhall Planning Panel

3.6 Welcomed use of the building, however raised concerns about extent of internal refurbishment.

York Civic Trust

3.7 Commented in support.

York Conservation Areas Advisory Panel

3.8 Commented in support.

3.9 Commented in support.

4.0 REPRESENTATIONS

Neighbour Notification and Publicity

4.1 No representations were received.

5.0 APPRAISAL

KEY ISSUES:

- Impact on the Special Architectural or Historic Interest of the Listed Building and Conservation Area.

ASSESSMENT:

5.1 The application seeks Listed Building Consent for internal and external works in conjunction with the proposed use of the building as a bookshop to include new/replacement platform lift, internal reconfigurations to include new staircase, alterations to internal openings and partitions, installation of shelving and other replacement joinery, redecoration and repair works, new/replacement plumbing and services and rainwater goods, secondary glazing and repairs to fenestration, new/replacement flooring, a mezzanine structure and balustrade, and solar PV panels.

5.2 The significance of the building, in terms of its special architectural and historic interest, is principally derived from its age, character and well-preserved appearance as a Victorian register office, illustrative of the administration of poor relief and registration in the 1860's and subsequent transition to local government administration, and the development of York in the 1860's, as well as internal and external features of interest. This includes the composition of its built form and internal layout which remains largely legible, along with historic joinery and plasterwork which reflect the hierarchy of its internal spaces.

In terms of the conservation area, the building is within the Central Historic Core Conservation Area and is within Character Area 4 Museum Gardens and Exhibition Square. The character area contains a series of large public buildings which illustrate the cultural life of York across the centuries, and a high concentration of listed buildings.

5.3 The works proposed (as consolidated from the Schedule of Work submitted) are detailed below:

External

- Install solar PV panels to roofscape

Ground Floor

- Install metal framed glazing picket door system, cupboards and bookcases
- Install timber steps to landing
- Install platform lift
- Widen existing door opening and install bi-fold timber door
- Alter existing sash windows to remove modern glazing bar and install metal frame secondary glazing
- Install bookcase joinery items
- Rehang/re-establish existing timber panelled doors
- Replace existing modern handrail
- Install partition wall and door set to form storage
- Fix shut existing timber panelled doors
- Install metal framed glazing door system and fanlight
- Make good plaster
- Install partition wall to form WC and refit existing timber panelled door
- Install new sanitary fittings and finishes
- Install platform lift and locally alter modern concrete floor to suit levels
- Form door opening to lift within existing wall
- Form opening within existing wall
- Reinstate original door opening to strongroom
- Install fire rated partition walls with high level glazing
- New solid oak boards to be overlaid over assumed original finish to suspended floors
- Remove internal partitions that form non-original opening
- Reinstate original fireplace and surround

First Floor

- Fix shut existing timber panelled door and replace modern glass with painted timber panel
- Rehang existing timber panelled door
- Replace existing modern handrail
- Install desk fittings
- Remove existing secondary glazing/modern glazing bars and install metal frame secondary glazing
- Install bookcase joinery items

- Reinstall original door opening
- Install platform lift and supporting wall
- Remove modern door-set, widen existing opening, and install timber lining
- Install timber-framed staircase to second floor
- Form opening within existing wall and install timber lining
- Fix shut timber panelled doors/infill door opening
- New solid oak boards to be overlaid over assumed original finish to suspended floors
- Install fire rated partition walls with high level glazing
- Install fire rated timber panelled doors
- Make good plaster ceiling and cornice
- Reinstall original fireplace and surround

Second Floor

- Install sanitary fittings and finishes
- Install partition wall and door set to form WC
- Install platform lift and supporting wall/door opening
- Form new openings within existing walls and install timber linings
- Install bookcase joinery items
- Install mezzanine structure and balustrade
- Remove modern timber door sets/infill door openings
- Install kitchen fittings and finishes
- Remove modern partition wall
- Install timber floor with solid oak board finish
- Replace carpet tiles with linoleum sheet finish

5.4 It is noted that there is an extant consent for removal of the tourist information fit out and dated electrical and mechanical services under planning reference 25/00092/LBC. The proposed use as a bookshop does not require Planning Permission, as the building as existing falls within the relevant Use Class to support this function.

IMPACT ON THE SPECIAL ARCHITECTURAL OR HISTORIC INTEREST OF THE LISTED BUILDING AND CONSERVATION AREA

5.5 The scheme proposes extensive intrusive alterations to the building including the installation of a lift, forming new openings and installing mezzanines in connection with a proposed change of use to a book shop. Following correspondence with the applicant, a number of changes have been made to revise the application, as addressed within the appraisal. Fundamentally, formation of the mezzanine, however, remains unacceptable in principle.

External Alterations

Fenestration

5.6 A number of the original 1 over 1 paned windows have been altered by the addition of crude glazing bars in the 1930's, detracting from the high quality of the original design. It is proposed to revert to the original pattern by the removal of the later glazing bars where these are featured to the existing windows. At the same time, the visually intrusive secondary glazing is to be replaced with high quality aluminium secondary glazing matching the pattern of the sashes and fixed within the staff beads. The proposed changes would significantly enhance the aesthetic value of the asset, restoring elements of the original design, while retaining effective measures to mitigate climate change. The works proposed are therefore not deemed to have an adverse impact on the special architectural or historic interest of the building or the character or appearance of the Conservation Area.

Solar Panels

5.7 Historic England have provided detailed guidance for the installation of PV panels in 'Energy Efficiency and Historic Buildings: Solar Electric (Photovoltaics) (2018). The Introduction advises that the installation of any renewable energy source should be seen as part of a 'whole building approach' to improve the energy efficiency of a building. Taking a whole building approach is a logical process which enables the best possible balance to be struck between saving energy and reducing carbon emissions, sustaining heritage significance, and maintaining a healthy building. It goes on to explain that the setting and significance of the building and the location and managing the visual appearance of the panels is an important part of the design process. It is generally not considered sympathetic to a building's appearance to have a solar panel or other equipment fixed to its main elevations. The NPPF also recognises that even small-scale projects for renewable and low carbon energy provide a valuable contribution to cutting greenhouse gas emissions.

5.8 The reflective quality of the flat panels and their protrusion above the plain of the roof slope would draw attention and contrast markedly with the mellowed and uneven appearance of the historic slate covering. At the same time, the proposed location of the panels would ensure that the panels would not be intrusive in high level views from upper floors and would not draw attention in views of the building in the street scene. Whilst there would be some harm to the character of the building and the character and appearance of the conservation area, it is of a low degree and less than substantial and would be outweighed by the public benefit of making efforts to mitigate climate change. Full details of routes of cables and location of related plant should be required to ensure damage to features of special interest is avoided. This could be secured by condition.

Internal Alterations

Bookshelves

5.9 It is proposed to form well-designed low-level bookshelves across the panelling beneath windows on both floors. Currently on the ground floor, the panels are boxed in and consequently the alteration would result in no additional harm. On the first floor, the panelling remains exposed, forming an integral part of the design of the building and evidence of the high status of the spaces. Covering the panels, as originally proposed, was considered to hide evidence of the original design from view, diminishing the status of some of the most important rooms in the building. The scheme has been subsequently revised to omit these bookcases, retaining visibility of the moulded panelling.

Fire Lobbies

5.10 New fire lobbies are proposed in two locations. Both proposals have been revised in design as part of this application's consideration to omit the glazed upper sections, now reading as modular vestibules around the doorways. This now allows for the original dimensions of the rooms to be more readily appreciated, including a set away from the adjacent chimney breast to the ground floor (R013). To the first floor (R010), the lobby has been re-orientated so that the chimneybreast and fireplace remain legible within a single space. The re-designed proposals allow the architectural character and features of the spaces, including cornices and fireplaces, to be more easily read. It is acknowledged that the lobbies resulted from efforts to avoid lobbies to the main staircases. Whilst the ground floor lobby would result in minor harm to the plan form, this would be to a lesser degree than the initial scheme. The first-floor alteration would be formed in a room already greatly disrupted by partitions. Overall, their installation would result in than less substantial harm to the historic character of the building but at a minor level. The harm is reversible and outweighed by the bringing of the building back into viable use.

Other New Openings

5.11 With the exception of the door openings proposed for the mezzanines and the related staircase, proposed new openings result in a loss of fabric but would have only minor less than substantial harm impact on the special interest of the building, resulting in negligible change to the circulation areas, this harm is outweighed by the public benefits of bringing the building into use. The reinstatement of the main ground floor room in the Blake Street range by removal of a 1930's partition would reflect a positive change to the building, better revealing its significance. Revised plans now propose to uncover two fireplaces which have been historically concealed.

Structural Interventions

5.12 In addition to some minor structural repair work, strengthening of the floors is required in some areas to support the additional floor loading resulting from the

proposed use. The structural works have been designed by a conservation accredited structural engineer. All of the new work is additive and is concealed within the existing floor structure. It is considered this aspect of the scheme would preserve the significance of the building.

Access From Blake Street

5.13 It is also proposed to widen an existing opening between the Blake Street entrance and the adjoining room on the ground floor to improve circulation (noted is that this accessible entrance also serves Ask Italian, which is located within the Assembly Rooms on Blake Street to the southwest). Reference to the 1860 plans suggest that the existing opening has been narrowed slightly from its original form. The alteration would result in some loss of fabric and a further erosion of the cellular plan form. However, by widening the existing doorway instead of forming a new central opening, the loss of fabric would be minimised and the sense of enclosure maintained. In accordance with paragraph 215 of the NPPF, this less than substantial harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. It is considered that the public benefit of improving this access outweighs the harm identified.

Lift

5.14 The proposed lift would be an overtly modern addition located in minor rooms at the back of the Museum Street range. On the ground floor, the room where the lift would be located is currently subdivided to provide toilets and an access lobby leaving little of the original layout of the room legible. The first-floor room, however, retains its original layout. Whilst the location of the lift seeks to minimise the impact on the special interest of the building by not locating it in the more prestigious rooms, the installation would further erode the historic layout of the first floor, although the impact on the ground and later second floor would be negligible. The alteration would have the benefit of making the upper floors accessible, in addition assisting with finding a viable use for the building, for which historically public access to at least the first floor would have been required. It is considered that the public benefit of improving this access outweighs the less than substantial harm identified.

Mezzanine

5.15 The mezzanines would be formed in two rooms at the front of the Museum Street range, originally a committee room and audit office. The rooms are currently subdivided, although retain their high ceilings and cornices, reflecting their original status. The scheme would reverse the subdivision of these spaces, but at the same time the new additions, occupying nearly half the depth of each room would dominate the respective spaces. The introduction of the structures would erode evidence of the original layout of the building and the private administrative function

of the rooms, harming the illustrative, historic value of the building. The introduction of new doorways at second floor level availing access to the mezzanines would compound the loss of evidence of the design and purpose of the building. The principal access to the mezzanines would be by a new stair rising from the first floor. Whilst the staircase would be located in a less prestigious part of the building, the addition would further dilute evidence of the layout of the building and how it was intended to be used, further harming its character. It is understood that the mezzanines are proposed so that the bookshop could provide a wider range of books to be stocked. However, this is not considered clear and convincing justification for the resulting harm.

5.16 Policy D5 of the Local Plan states that proposals affecting a Listed Building, or its setting will be supported where they preserve, enhance or better reveal those elements which contribute to the significance of the building or its setting, and help secure a sustainable future for a building at risk. Harm to the significance of a Listed Building or its setting will be permitted only where this is outweighed by the public benefits of the proposal.

5.17 Paragraph 20 of Government Planning Practice Guidance for the Historic Environment states that public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in paragraph 8 of the NPPF. Examples of heritage benefits may include the sustaining or enhancing the significance of a heritage asset and the contribution of its setting, reducing or removing risks to a heritage asset, or securing the optimum viable use of a heritage asset in support of its long-term conservation. Paragraph 215 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

5.18 Whilst the application points to commercial viability as the reason for installing the mezzanine, no robust evidence has been presented as part of the application process to specifically demonstrate that this proposal would not be viable without the proposed alteration. The Heritage, Design and Access Statement submitted states that the mezzanine would enable 38 additional bookcases within the shop, facilitating an additional 7,800 books. The supporting statement remarks that the commercial success of the building is entirely driven by the number of bookcases that can be installed, which depend on a suitable number of walls for cases to be affixed to. The case is made that a reduced stockholding limits the number of and variety of different subjects available, as well as more limited floorspace.

5.19 The applicant engaged in pre-application advice, in which it was advised that formation of the mezzanine could not be supported. More widely, an active effort has been made to respond to wider pre-application discussions, to better reveal the significance of the asset, such as the reinstatement of much of the original

fenestration and partial reinstatement of parts of the earlier floor plan. However, the proposed addition of the mezzanine and associated staircase would represent serious harm to the character of the building. The case made by the applicant is understood in that increasing the prospective capacity of the building sets reasonable objectives to maximise viability of the building within this use, however it is not considered that the harm to the fabric of the building is outweighed by such case. No financial details have been put forward to suggest that the development proposal, in the absence of the mezzanine's formation, would amount to an unviable business proposal. Further, the building may otherwise serve a variety of alternative uses which may not require or propose such alterations.

5.20 The building has been vacant since 2021 and the proposed new use for the building is welcomed. The proposals are more widely well designed and have sought to minimise impact on the character of the building where possible, based on a thorough assessment of its significance as a designated heritage asset. The building's built form and internal layout remain largely legible, along with historic joinery and plasterwork which reflect the hierarchy of its internal spaces. It is considered that installation of the second-floor mezzanine, as a result of its subdivision of the existing committee room and audit office, would undermine the hierarchy of its internal spaces and amount to serious less than substantial harm to the heritage asset. In contrast to other alterations which may result in some modest harm to the character of the building, there is no clear and compelling convincing justification for this alteration. Whilst serious, the degree of harm is less than substantial. It is not considered that the degree of harm is justified by public benefits which would derive from the scheme.

6.0 CONCLUSION

6.1 The proposed formation of the mezzanine structure and associated doorways and staircase would erode evidence of the original layout of the building and the private administrative function of the rooms, harming the illustrative, historic value of the building. Whilst the degree of harm overall from the scheme would be less than substantial, nevertheless paragraph 212 of the NPPF requires this harm to be given considerable importance and weight and given the duties of the decision maker under S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 special regard is to be had to the desirability of preserving the building and its setting. It is not considered that the public benefits deriving from the proposed change of use and those works noted above which enhance the special interest of the building would outweigh the harms to the listed building. The development is therefore considered to harm the special architectural or historic interest of the listed building and would conflict with guidance contained in the National Planning Policy Framework, Policy D5 (Listed Buildings) of the City of York Local Plan, and Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

7.0 RECOMMENDATION: Refuse

1 The proposed formation of the mezzanine structure and associated doorways and staircase would erode evidence of the original layout of the building and the private administrative function of the rooms, harming the illustrative, historic value of the building. Whilst the degree of harm overall from the scheme would be less than substantial, it is not considered that the public benefits deriving from the proposed change of use would outweigh the harm. The development is therefore considered to harm the special architectural or historic interest of the listed building and would conflict with guidance contained in the National Planning Policy Framework, Policy D5 (Listed Buildings) of the City of York Local Plan, and Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

8.0 INFORMATIVES:

Contact details:

Case Officer: Owen Richards

Tel No: 01904 552275