

COMMITTEE REPORT

Date: 7 November 2019 **Ward:** Micklegate
Team: West Area **Parish:** Micklegate Planning Panel

Reference: 19/01649/LBC
Application at: 9 Bishophill Junior York YO1 6EN
For: Internal alterations, including removal of internal walls, and new large glazing units to side and rear of existing rear extension
By: Mr Peter Kilbane
Application Type: Listed Building Consent
Target Date: 14 November 2019
Recommendation: Approve

1.0 PROPOSAL

1.1 The scheme includes internal and external alterations including the creation of a new external opening to the rear garden. The property is grade II listed and is located within the Central Historic Core conservation area (CHCCA) and an area of archaeological importance.

1.2 The decision on this application needs to be made by the planning sub-committee as the applicant is City of York Councillor.

2.0 POLICY CONTEXT

City of York Publication Draft Local Plan 2018

Policy D5: Listed Buildings.

3.0 CONSULTATIONS

Design Conservation & Sustainable Development

3.1 Comments as follows:

- a) Demolition of existing internal stores – the pantry and scullery were not part of the original house layout and do not contribute to the significance of the building, their demolition is therefore acceptable

Application Reference Number: 19/01649/LBC

Item No:

- b) Demolition of existing wall separating the two areas of the kitchen - evidence suggests this wall is likely to be original and its loss was not supported. However, applicant has agreed to retain more of the historic fabric in the form of nibs and downstand. A scaled drawing has been received addressing this. Structural Engineer's details to be conditioned
- c) Removal of stove and low level enlargement to chimney breast - the stove is clearly not original to its current location; its removal is therefore acceptable but condition required regarding how the opening will be finished and to ensure ventilation is retained to the chimney
- d) Replacement floor – the current floor tiles likely date from the 1940s and do not contribute to the significance of the listed property, their removal is therefore acceptable. The detail of the replacement floor will need to be agreed by condition
- e) Replacement of existing windows to garden with large doors - the ground floor wall and existing openings which open to the garden are not original and appear to date back to 1947 alterations. However, the proposal for an almost full width opening and bi-fold doors was not supported; the opening was too large and harmful to the character of the building. The plans have been amended in line with a suggestions for two smaller pairs of glazed doors, which are more in keeping with the domestic scale and acceptable.
- f) Replace existing door to garden with glazed opening - the loss of the historic traditional door is not supported, and should be repaired or replaced on a like for like basis.
- g) Replacement of external door and windows into rear yard – neither the door nor window into the yard are in their original position and the proportions/design of the windows is harmful to the character of the listed building. The replacement of the door on a like for like basis is acceptable with details of glazed upper panels required by condition. The most appropriate design of the replacement windows would be to form a central mullion and install a pair of sash and case windows to match the original windows; double glazing on this basis would be acceptable.
- h) Insulation to existing wall - this may be agreeable subject to confirmation of precise location / extent and specification and impact on any historic details such as skirting, architraves etc. This information needs to be provided at application stage to ensure the principle can be agreed. Though a detailed specification of the insulation could be conditioned, confirmation that the insulation will be of a breathable nature will be required at this stage.

Application Reference Number: 19/01649/LBC

Item No:

- i) Relocation of door in kitchen - an existing internal door into the kitchen is not in its original location and the rehanging of it into its suggested location is acceptable. Compliance condition required that the existing door will be rehung.

Micklegate Planning Panel

3.2 No response.

4.0 REPRESENTATIONS

4.1 None received

5.0 APPRAISAL

KEY ISSUES

5.1 The key issues in the assessment of this proposal are the impact upon the character and appearance of the building and the conservation area.

LEGISLATIVE BACKGROUND

5.2 Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant listed building consent for any works, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

POLICY CONTEXT

National Planning Policy Framework

5.3 The National Planning Policy Framework, March 2012 (NPPF) sets out the Government's overarching planning policies. At its heart is a presumption in favour of sustainable development.

5.4 Paragraph 184 states that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. Paragraph 193 states that when considering the impact on a proposed development on the significance of a designated heritage asset, great weight should be given to its conservation.

Application Reference Number: 19/01649/LBC

Item No:

Local Plan Policies

City of York Publication Draft Local Plan 2018

5.5 The Publication Draft City of York Local Plan 2018 ('2018 Draft Plan') was submitted for examination on 25 May 2018. In accordance with paragraph 48 of the NPPF the Draft Plan policies can be afforded weight according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the previous NPPF published in March 2012.

5.6 The evidence base underpinning the 2018 Draft Plan is capable of being a material consideration in the determination of planning applications. Policy D5:Listed Buildings is relevant and advises that development proposals will be supported where, inter alia, they preserve the special architectural or historic interest of listed buildings.

City of York Council Development Control Local Plan 2005

5.7 There are no relevant up-to-date policies within this Plan.

ASSESSMENT

5.8 The proposals relate to alterations to the ground floor kitchen/dining area of the property. The architect has submitted revised proposals and the position on the various elements can now be outlined as follows.

5.9 Removal of internal stores, part of internal wall, stove and tiled floor is acceptable and will have no adverse impact on the significance of this listed building. The original proposals for the replacement of the existing windows to the garden with large doors has been revised and now involves two smaller pairs of glazed doors and is acceptable. The proposed replacement of the existing door to the garden with a glazed opening has been omitted from the scheme with the door now being repaired.

5.10 With regards to the proposed replacement of the external door and windows into rear yard; the door will now be repaired or replaced on a like for like basis and an indicative drawing of the proposed new window arrangement has been submitted

Application Reference Number: 19/01649/LBC

Item No:

and is acceptable. Insulation to existing wall – the architect has confirmed that the insulation will be breathable.

5.11 Relocation of door in kitchen - its location is acceptable. Concerns about new holes in the historic fabric associated with new drainage have been addressed with the architect confirming that all new drainage will connect to existing.

5.12 The works are considered to be acceptable and will preserve the special architectural and historic interest of the building and the character of the conservation area. As a result it is considered that if the application is approved the Local Planning Authority will have properly exercised its duty under Sections 16 (2) and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

5.13 In assessing the proposal officers have considered the desirability of sustaining and enhancing the significance of this listed building and putting it to a viable use consistent with its conservation and the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality, as required by Paragraph 192 of the NPPF. They have also considered the impact it would have on the significance of this heritage asset, as required by Paragraph 193 of the NPPF, and have judged that there will be no harm. As it is considered there will be no harm, there is no need to weigh the proposal against the public benefits as outlined in Paragraph 196 of the NPPF.

6.0 CONCLUSION

6.1 It is considered that the proposed alterations will preserve the special historic and architectural interest of the building. They comply with national planning guidance, as contained in the National Planning Policy Framework and Publication Draft York Local Plan 2018.

7.0 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 and other submitted documents

PL12/001, PL10 and PL11

Sketch drawing of new windows to rear yard in letter dated 18 October 2019 from scheme architect

Email from scheme architect dated 21 October 2019 confirming that any historic skirtings and/or architraves that would need to be removed as a result of the alterations

Application Reference Number: 19/01649/LBC

Item No:

will be removed carefully and reinstated to the face of the new wall that will be constructed.

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

3 The following details shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the works shall be carried out in accordance with the approved details.

- a) Detailed construction drawings of all new doors and windows, including brick window head detail
- b) Details of how the opening in the chimney breast will be finished once the stove is removed, including a vent to provide air circulation to chimney
- c) Details of new floor construction
- d) Specification of new insulation
- e) Details of any extraction from the kitchen
- f) Lime-rich mortar specification
- g) Details of new architrave to internal kitchen door
- h) Structural Engineer's details for new internal opening within the kitchen and new openings to garden

Reason: So that the Local Planning Authority may be satisfied with these details.

4 The existing internal kitchen door shall be rehung in proposed location shown on plan no. PL12/001

Reason: To ensure that this original feature is retained on site

5 Existing reclaimed bricks shall be reused for building up any existing openings on garden elevation.

Reason: To protect the historic character of this listed building.

Contact details:

Case Officer: David Johnson

Tel No: 01904 551665