

Conservation Areas

CYHE5

Demolition of Listed Buildings and Buildings in Conservation Areas

3.0 CONSULTATIONS

INTERNAL

3.1 Environment, Conservation, Sustainable Development (Conservation) - Raddon House is identified as a building of neutral value in the approved conservation area appraisal. The very low density of development on the site, and the mature landscaping around it, contribute to the character of this part of the conservation area. Demolishing the existing house and outbuildings would not harm the character of the conservation area. Whether conservation area consent is granted should depend on the merits of the proposed replacement development.

3.2 Environment, Conservation, Sustainable Development (Countryside) - No objections. Comments on the previous application still apply. Bat mitigation measures should be made a condition of any approval.

EXTERNAL

3.3 Fulford Parish Council - Objection. Demolition of local heritage asset. The existing building is in good condition so planning permission is not justified.

3.4 Cllr Aspden - Please note my comments on behalf of local residents: Raddon House was built in the 1950s within the former curtilage of Gate Fulford Hall and was designed by a local architect. Whilst of no special architectural significance, the house is of rural character and sits comfortably within its landscaped setting.

3.5 Public Consultation - The consultation period expired on 9 January 2011. Two formal objections to the conservation area consent application have been received but the issues they raise mainly relate to the new dwelling. Nevertheless one of the objections states that whilst the existing dwelling is an attractive house its contribution to the conservation area lies more in its spacious wooded setting and its scale, and that it sits well within its secluded wooded landscape.

4.0 APPRAISAL

4.1 KEY ISSUES

- Impact on the character and appearance of the conservation area
- bio-diversity

POLICY CONTEXT

4.2 HE3 - Within conservation areas demolition will only be permitted where there is no adverse effect on the character or appearance of the area.

4.3 HE5 -Conservation area consent will not be granted for the demolition of buildings that contribute to the character or appearance of conservation areas. Where demolition is permitted no demolition shall take place until a building contract for the redevelopment has been made and planning permission has been granted.

4.4 NE6 - Where a proposal may have a significant effect on protected species or habitats applicants will be expected to undertake an appropriate assessment demonstrating their proposed mitigation measures. Planning permission will only be granted that would not cause demonstrable harm to protected species.

THE APPLICATION SITE

4.5 Raddon House is a large detached house with various outbuildings in large landscaped grounds. The site is in a conservation area and within the settlement limit of York. The immediate area is residential in character.

IMPACT ON THE CONSERVATION AREA

4.6 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty on local planning authorities to preserve or enhance the character or appearance of conservation areas. The current application should be assessed against this duty.

4.7 Raddon House was constructed in the 1950's, to a traditional design, using materials reflecting those typically found in the locality. It is not intrusive and is subservient in both scale and design to the neighbouring Gate Fulford Hall. The spaciousness and very low density of development on the site and the mature landscaping within the grounds contribute to the character of this part of the conservation area. Nevertheless the approved conservation area appraisal identifies Raddon House as a building of neutral value. The other buildings on the site are small and utilitarian in character and are not mentioned in the appraisal. Demolition of the house and outbuildings would reduce the already low density of development. The application to demolish these buildings would not harm the conservation area. On the contrary, demolition would increase the spaciousness of the site, thereby enhancing the character and appearance of the conservation area.

4.8 Whilst applications for conservation area consent to demolish are normally considered in the context of redevelopment proposals for the site, such an assessment is not justifiable in this case. Raddon House is a freestanding building

largely screened from public view although it can be glimpsed from Fenwicks Lane (through the entrance gateway) and from the Ings. The building does not form part of a defined urban form and its demolition would not result in an obvious gap in the surrounding development. Whilst the demolition of Raddon House (and its outbuildings) is clearly a precursor to redevelopment of the site the current application can be determined on its merits, in isolation of any future redevelopment proposals. Such future redevelopment would almost inevitably have an impact on the character and appearance of the conservation area. In preparing such proposals, the applicant should therefore be advised of the council's duty to pay particular attention to preserving or enhancing its character or appearance.

4.9 If Raddon House and the ancillary outbuildings were to be demolished without a replacement house, or other development, having been granted planning permission, the Council would be obliged to consider the impact of any subsequent application for development on the conservation area as it existed at the time of the application, i.e. with no buildings on the site. The consequence of this could be that the planning authority would not grant consent for the quantum of development that the applicant might otherwise assume to be acceptable. Such a scenario, however, is unlikely to occur because the applicant is unlikely to demolish the existing house (a useful and valuable asset) without planning permission for a suitable replacement having previously been granted.

BIO-DIVERSITY

4.10 The applicant has submitted a bat scoping survey, which assessed the house and outbuildings as having very limited bat roosting potential. Nevertheless particular care would be needed during demolition to ensure that bats are fully taken into account and that any potential impacts are minimised. This should be covered by a suitable condition.

5.0 CONCLUSION

5.1 Raddon House is identified as a building of neutral value in the approved conservation area appraisal. Its demolition, together with the demolition of its ancillary outbuildings, would at least preserve, and possibly even enhance, the character and appearance of the conservation area. The application is therefore considered acceptable notwithstanding the fact that no suitable redevelopment proposals having been submitted and approved. A condition should, however, be attached requiring details of the reinstatement of the site to be submitted and approved prior to demolition.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

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

2 The demolition hereby permitted shall relate solely to the house and outbuildings shown on the topographical survey Y213/S/1 dated 22/10/09.

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

3 Prior to the demolition hereby granted, a scheme for either the landscaping or redevelopment of the site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented within a timescale which shall also be agreed to in writing by the Local Planning Authority prior to demolition.

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

4 No demolition shall take place until full details of bat mitigation and conservation measures have been submitted to and approved in writing by the local planning authority. The measures shall include:

- i. A plan of how demolition work is to be carried out to accommodate the possibility of bats being present.
- ii. The timing of all operations.

The works shall be carried out in accordance with the approved details and timing unless otherwise approved in writing by the local planning authority.

Reason - To take account of and to enhance the habitat for a protected species.

IMPORTANT NOTE: If bats are discovered during the course of the work, it shall cease and Natural England consulted before continuing.

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 the impact on the character and appearance of the conservation area, and the effect on protected species. As such the proposal complies with Policies HE3, HE5 and NE6 of the City of York Local Plan Deposit Draft.

Contact details:

Author: Kevin O'Connell Development Management Officer

Tel No: 01904 552830