

## COMMITTEE REPORT

**Date:** 9 May 2013                      **Ward:** Guildhall  
**Team:** Major and                      **Parish:** Guildhall Planning Panel  
                    Commercial Team

**Reference:** 13/00178/LBC  
**Application at:** Middleton House 38 Monkgate York YO31 7PD  
**For:** Internal and external alterations including part demolition and new rear extension in connection with conversion of building into 5no. flats  
**By:** Mr Philip Thake  
**Application Type:** Listed Building Consent  
**Target Date:** 9 April 2013  
**Recommendation:** Approve

### 1.0 PROPOSAL

1.1 Listed Building Consent is sought for internal and external alterations at 38 Monkgate to include the partial demolition of a flat roofed and mono pitched extension at the rear and the erection of a two storey extension with roof terrace.

1.2 No.38 Monkgate was built as a town house around 1700 however historically it has also been used as a school and more recently for commercial use as a training centre and as an office. Early plans indicate that it was originally L-shaped on plan and of two storeys in height with Dutch Gables. A third storey was added in the late 18th Century resulting in a symmetrical house of 5 bays with the central entrance bay breaking forward. The building is listed at grade 11\* and it is situated on a principle approach road into York close to the walled city centre. The site is within the Central Historic Core conservation area.

1.3 The proposed internal and external alterations are associated with a proposal for the change of use of the premises from offices (Class B1) to five residential units. This application is referenced 13/00177/FUL.

1.4 The application has been brought to Committee at the request of Councillor Watson due to this being a listed building.

### 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 Star; 38 Monkgate York YO31 7PF 0934

Listed Buildings GMS Constraints: Grade 2; 36 Monkgate York YO3 7PF 0933

Listed Buildings GMS Constraints: Grade 2; 40 Monkgate York YO3 7PF 0935

Schools GMS Constraints: St. Wilfrid's RC Primary 0230

## 2.2 Policies:

CYHE4 Listed Buildings

## 3.0 CONSULTATIONS

### INTERNAL

#### Design, Conservation and Sustainable Development

3.1 In principle, support can be given to the proposed conversion of the property. The following matters should however be addressed before the granting of listed building consent and planning permission.

3.2 The proposal to remove and re-set a purlin in room A5 in the attic storey to facilitate construction of the dormer cannot currently be supported. As identified in the FAS report, this is part of the eighteenth century phase of construction. Consideration should be given to amending the scheme so that the purlin can be retained in situ.

3.3 The high level roof lights on the roof slope of the main range are visually intrusive, harming the historic appearance of the building. The application states that they are required as automatic opening smoke vents under part B of the building regulations. Our building regulations officers advise that the need for the vents could be obviated by the use of an active detection system and emergency lighting.

3.4 Glazed screens are proposed to raise the height of the protective stair balustrades to current standards between the first and second floors. This could potentially amount to permanent harm, in addition to the reversible harm to the aesthetic value of the building.

### EXTERNAL

#### English Heritage

3.5 English Heritage is content in principle with the proposed use of this building. Given the age of the property and the surviving interior features, the conversion will need to be carefully detailed in order to fully maintain the significance of the building. Original or early interior details should be retained in situ wherever possible. The

fine historic staircase will need particularly careful thought and treatment, and the impact of the proposed glass balustrade will need to be evaluated. The proposed insulation of the ceilings will also need to be assessed, in order to retain historic ceilings and cornices in situ.

3.6 We request that the above issues are addressed and recommend that this application be determined in accordance with national and local policy guidance, and on the basis of your expert conservation advice.

### Guildhall Planning Panel

3.7 No objections

## **4.0 APPRAISAL**

### Key Issues

- Impact on special architectural and historic importance of the listed building

4.1 The National Planning Policy Framework states that 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.

4.2 The Development Control Local Plan was approved for Development Control purposes in April 2005: its policies are material considerations where they reflect the National Planning Policy Framework. Local Plan Policy HE4 advises that consent will only be granted for internal or external alterations to listed buildings where there is no adverse effect on the character, appearance or setting of the building.

4.3 Significant alterations and additions were made to the rear of 38 Monkgate in the early 19th Century to make it suitable for educational use (Manchester College relocated to York and was housed here from 1803-1811). The principal first floor room was also enlarged by breaking through to include the area over the carriage arch which had originally been associated with No.40 Monkgate. Further alterations have taken place during the 20th Century during its conversion to a club and then for offices; and these include the addition of a large single storey extension within the fore-shortened rear yard, new internal partitions, screens, up-grading of original doors to achieve fire resistance and the provision of some new fire-surrounds.

4.4 A Historic Buildings Assessment prepared by FAS Heritage has been submitted with the application which has guided the detailed design process and determined which areas of the building could be altered. The Design and Heritage Statement

states "the grain of the existing layout has been closely followed, the existing stairs have been retained and the habitable spaces on each floor have been used".

4.5 An assessment of the proposed extensions to the property is included in the report for the planning application (13/00177/FUL). With respects to the remaining proposed internal and external alterations, the original scheme included three elements which caused concern for Officers. These comprised (i) the proposal to remove and re-set a purlin of eighteenth century origin in a room in the attic storey to facilitate the construction of the dormer, (ii) the installation of high level rooflights on the rear roof slope of the main building and (iii) the installation of glazed screens to raise the height of the protective stair balustrades to current standards between the first and second floors. There was concern both from CYC Officers and English Heritage that such screens could potentially amount to permanent harm, in addition to the reversible harm to the aesthetic value of the building.

4.6 Amended plans have been received which (i) remove the proposed dormer window and instead position two rooflights underneath the purlins, (ii) revise the position for the 2No.conservation rooflights so that they would be concealed from view by the existing dormer window and (iii) remove the glass balustrade to the upper section of the stair.

4.7 It is not considered that the rooflights would cause undue harm to the appearance of the listed building or to its setting within the Conservation Area. Furthermore, Building Control does not object to the glass balustrade no longer forming a part of the proposal. On this basis and given that Officers consider that the plans demonstrate that the works will be carried out in such as way as to avoid unnecessary harm to the historic layout and to important aesthetic qualities of the building, it is recommended that listed building consent be granted.

## **5.0 CONCLUSION**

5.1 Officers consider that the plans demonstrate that the works will be carried out in such as way as to avoid unnecessary harm to the historic layout and to important aesthetic qualities of the building. Listed building consent is therefore recommended subject to the following conditions.

## **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:-

Drawings received 31.1.2013;

G3649-D-110 (Ground Floor GA Plan Proposed)  
G3649-D-460 (Front Elevation Proposed)

Drawings received 14.3.2013;

G3649-D-105-01 (Ground Floor Plan Strip Out & Enabling Works)  
G3649-D-470-01 (Rear Elevations East \_ West As Proposed)

Drawings received 16.4.2013;

G3649-D-490-02 (Section C-C As Proposed)

Drawings received 25.4.2013;

G3649-D-015-02 (Roofscape Analysis)  
G3649-D-205-02 (First Floor Plan Strip Out & Enabling Works)  
G3649-D-210-02 (First Floor Plan As Proposed)  
G3649-D-305-03 (Second Floor Plan Strip Out & Enabling Works)  
G3649-D-310-03 (Second Floor Plan As Proposed)  
G3649-D-410-03 (Roof Plan As Proposed)  
G3649-D-465-03 (Rear Elevation South As Proposed)  
G3649-D-480-02 (Section A-A As Proposed)  
G3649-D-485-03 (Section B-B As Proposed)

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

3 VISQ8 Samples of exterior materials to be app -

4 VISQ7 Sample panel ext materials to be approved -

5 Full details of the rooflights 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. The rooflights shall be fitted flush with the roof covering.

Reason: So that the Local Planning Authority may be satisfied with these details in the interests of the character and appearance of the listed building.

6 Full details of the proposed method of obscuring the window on the second

floor (front elevation) 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. Any proposed film should not be applied directly to the window.

Reason: So that the Local Planning Authority may be satisfied with these details in the interests of safeguarding the character and appearance of the listed building.

7 Full details of the proposed secondary glazing to the windows shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details.

Reason: So that the Local Planning Authority may be satisfied with these details in the interests of safeguarding the character and appearance of the listed building.

8 A cross sectional drawing (at a scale of 1:2) through the joinery for all new windows and doors 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.

Reason: So that the Local Planning Authority may be satisfied with these details in the interests of safeguarding the character and appearance of the listed building.

9 Full details of the design and position for all external flues, vents and extracts for new kitchens, bathrooms and toilets 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.

Reason: So that the Local Planning Authority may be satisfied with these details in the interests of safeguarding the character and appearance of the listed building.

10 Details of the areas of brickwork to be repointed 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.

Reason: So that the Local Planning Authority may be satisfied with these details in the interests of safeguarding the character and appearance of the listed building.

11 Full details of the proposal to acoustically seal the chimneys 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.

Reason: So that the Local Planning Authority may be satisfied with these details in the interests of safeguarding the fabric of the listed building.

12 New partitions shall be scribed around existing details.

Reason: In the interests of safeguarding the fabric and character of the listed building.

## **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 listed building. As such the proposal complies with the National Planning Policy Framework and Policy HE4 of the City of York Development Control Local Plan.

#### **Contact details:**

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