

## COMMITTEE REPORT

**Committee:** Main P & T Committee      **Ward:** Micklegate  
**Date:** 28 February 2008      **Parish:** Micklegate Planning Panel

**Reference:** 08/00009/LBC  
**Application at:** Factory Bishopthorpe Road York YO23 1NA  
**For:** Addition of third storey with 3 storey extension to rear, internal and external alterations at the Time Office Block  
**By:** Mr Chris Hale  
**Application Type:** Listed Building Consent  
**Target Date:** 28 February 2008

### 1.0 PROPOSAL

#### 1.0 BACKGROUND

1.0.1 Members may recall that planning permission was granted in June 2007, for the change of use and refurbishment of the former time office building. These applications were:-

- 07/00539/LBC - Refurbishment, partial conversion and extension of the Former Time Office building to form offices; and
- 07/00540/FUL - Change of use to B1 offices and external alterations to the former time office building, including extension to existing car park.

1.02 5 additional planning applications were also associated with the redevelopment of this building. They were:-

- 06/02552/LBC - Refurbishment, conversion and extension of the former Time Office Building to form offices This was withdrawn. This application was submitted with the original suite of planning applications, pertaining to the development of this site, in late November 2006. The application was withdrawn upon advice from officers. The alteration and erection of a glazed roof extension to this building, was not be supported by the Planning Department, due to the detrimental impact such a development would have had upon the listed building, Terry's Conservation Area and the adjacent group of listed buildings.
- 07/00538/FUL - Change of use to B1 offices and external alterations and extension to the former time office building including extension of existing car park and 07/00541/LBC - Internal and external alterations to the former time office building. Committee may also recall that these applications were refused at the same meeting (June 2007). These applications, whilst similar to the aforementioned approved applications, included a glazed extension of the roof (similar to 06/02552/LBC). These applications were refused by Committee, on the recommendation of the planning department, as it was

considered that they would cause undue harm to interests of acknowledged importance, with particular reference to the former Time Office Building (which is a listed building) and the Terry's Conservation Area.

- 07/00976/FUL - Erection of two storey temporary office accommodation (460 m<sup>2</sup>) to time office building and 07/00977/LBC - Erection of 2-storey temporary office accommodation (460 m<sup>2</sup>) to time office building, these were withdrawn prior to the Committee meeting in June.

## 1.1 PROPOSAL

1.1.1 This application relates to the conversion and alteration of the Former Time Office Building to form office accommodation. A parallel application for Listed Building Consent (08/00009/LBC) has also been lodged.

1.1.2 Alterations include:-

- The removal of the existing windows and replacement with appropriate conservation frames (this includes the removal of a number of modern UPVC window frames which have been inserted);
- The alteration of the portico to form an entrance, including the removal of modern glazed gate keepers tinted glass booth;
- The addition of a glazed extension to create a second floor of office accommodation. The extension will comprise of the addition of a low profile zinc roof with integral fascias and gutters. The glazing will be of a ribbon design with concealed opening lights which would extend around the perimeter of the building between the parapet and the roof soffit. An external terrace is also proposed to be formed (adjacent Bishopthorpe Road) but within the parameter of the building.
- The addition of a 3-storey flat roofed extension to the rear. The extension will provide a circulation core to service the office accommodation. The core will provide toilet facilities (male and female), a new stairwell, a lift, and showering facilities as well as providing for modern services to the existing building;
- Internal alterations to the layout of the building to create high quality serviced office accommodation on the ground floor and first floor. The applicants (S. Harrison Developments LTD) intend to occupy the proposed 2nd floor accommodation for their business.

## 1.2 SITE AND HISTORICAL BACKGROUND

1.2.1 The former Time Office Building lies within the site confines of the Terry's Factory site. The Factory site is situated to the south of the city centre on the periphery of South Bank. The Factory site is partially located within The Racecourse and Terry's Factory Conservation Area (no.10). The former Time Office building is located within this identified Conservation Area.

1.2.2 The Terry's Factory site is bounded by Campleshon Road to the north. Bishopthorpe Road lies adjacent the site to the east. An area used for car-parking by the racecourse during race events lies to the south which is encompassed by Green Belt, which extends to Bishopthorpe. The race course itself and Mickelgate Stray are situated to the west.

1.2.3 The Factory site is approximately 10 ha (24.9 acres) in area and comprises of a number of redundant buildings, including 6 Grade II listed buildings and more modern warehousing. The listed buildings were erected in and around the 1920's/30's. The former Time Office building is one of these listed buildings and forms an important part of the group value of these listed buildings.

1.2.4 The Historic Buildings Assessment (HBA) which accompanies the Listed Building application attributes the original design to Lewis E Wade and the construction date is placed at 1927, making it one of the earlier buildings on site.

1.2.5 The actual site boundary of the former Time Office Building is by comparison far less in area than the extent of the whole site. Its total site area is 0.1067 ha. The building is sited adjacent the main entrance of Terry's Factory site adjacent Bishopthorpe Road. The building can be clearly seen from Bishopthorpe Road, being set back approximately 12.00 m from the road. The building is directly adjacent the former Headquarters Building to the north. The former Headquarters building is 2 stories in height and is approximately 24.00 m from the Time office building. To the west side is the former Factory building. This building is 5 stories in height and is approximately 22.00 m from the former Time Office Building. To the south are the gardens. This area is principally the only formal 'green' area within the site. At present there is a 6.00 m strip of tarmaced area, at the rear of the building which was partially used for storage of materials from out of the former Time Office building and possibly for car-parking at some stage. To the east are the boundary walls of the Factory site, a public footpath and then Bishopthorpe Road.

1.2.6 The building was purpose built as the main control point, for deliveries etc. in and out of the site. The original carriageway arches which ran through the building were blocked a number of years ago. Consequent alterations to the façade were based on the existing architecture and appear convincing. The portico, which was used to control the main access to the site and booking in of deliveries etc. has been glazed with modern tinted glass. Other alterations to the exterior of the building are considered to be of little significance/ impact.

1.2.7 The building has been significantly altered throughout the years, for reuse into 2 distinctly separate parts. This has resulted in the insertion of modern partition walls and a spiral staircase at ground floor level. The upper floor has also been subdivided with a late 20th Century office partitioning system. Both floors have modern suspended ceilings. An investigation of the building's structure has revealed that it is steel framed with concrete casing.

### 1.3 REASON FOR REFERRAL TO COMMITTEE

1.3.1 This application is reported to Planning Committee due to officer discretion. This application forms part of the wider proposal/s for the development of Terry's Factory site which will be presented to Planning Committee in due course.

## **2.0 POLICY CONTEXT**

2.1 Development Plan Allocation:

Conservation Area Racecourse 0035

Contaminated Land

City Boundary York City Boundary 0001

DC Area Teams Central Area 0002

Listed Buildings Grade 2;Terry's Of York Time Office Block Bishopthorpe Road

2.2 Policies:

CYHE2

Development in historic locations

CYHE3

Conservation Areas

CYHE4

Listed Buildings

## **3.0 CONSULTATIONS**

3.1 INTERNAL

Design, Conservation and Sustainable Development

3.1.1 The Council's Conservation Officer addressed a number of issues regarding the impact of the proposals upon the listed Building. However, she raised no objection in principle to the addition of the roof and rear extension.

3.1.2 The officer also commented upon the differences between the previously approved scheme and this scheme in terms of impact upon the listed building.

3.2 EXTERNAL

Bishopthorpe Parish Council

3.2.1 Bishopthorpe Parish Council commented that the changes do not reflect the style and character of the existing listed building. Also, there have been previous applications associated with this building and those relating to similar proposals

which have been refused or withdrawn. The Parish Council believe no evidence has been submitted which overcomes the earlier reasons for refusal and is therefore not justifiable as the overarching outline planning application proposes more than enough office space.

#### Mickelgate Planning Panel

3.3 Mickelgate Planning Panel commented that they did not support the application. The panel are not opposed, in principle, to the 3rd floor extension as they believe it would not be prominent from the ground. However the panel consider that the rear extension is completely out of keeping with the main office.

#### Conservation Area Panel

3.4 The panel stated that the extra floor would affect the group of listing buildings, which have a coherent roof structure. It was felt that the extra floor would affect the character of the building and destroy the historic interest. The panel also felt that the lift and stair well extension would be less obtrusive if reduced in height by one floor.

#### Neighbours

3.5 2 site notices were displayed at the entrance to the main entrance to the site, to advertise the Listed Building Consent application and the full planning application. Comments have been received from 1 interested party.

3.5.1 The objector commented that the Time Office Building is recognised in the Conservation Area appraisal as one of a complex of buildings consisting of the headquarters offices, the factory, clock tower, Time Office block and liquor factory. Together they form a strong group in architectural terms, presenting a unified style which reflects the strength and importance of the corporate image of Terry's chocolate firm. The buildings have a strong historic interest representing the most complete surviving expression of the importance of the confectionary business in York. The objector notes that the wording is taken from the list description of the building and makes it clear that one of the main reasons for listing all factory buildings derives from their completeness as a group. This application would affect not only the building but the group as a whole and will alter the roof line of the time office building and detract from the functional character of the building.

3.5.2 Finally the objector commented that the introduction of a new 2-storey roof cannot fail to be noticed, especially when seen against the sky. It will be highly visible from Bishopthorpe Road, especially when approaching from the east, at the junction with Southlands Road and Richardson Street, where the ground rises and offers an important view of the Terry's site.

## **4.0 APPRAISAL**

### **4.1 KEY ISSUES**

- Effect on character and appearance of the (listed) building.

## 4.2 PLANNING POLICY

4.2.2 PPG 15: Planning and the Historic Environment. Central Government advice in relation to listed building control contained within this document states in paragraph 3.3 that whilst the listing of a building should not be seen as a bar to all future change, the starting point for the exercise of listed building control is the statutory requirement on local planning authorities to "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" (Section 16 of the "Planning (Listed Buildings and Conservation Areas) Act 1990"). This reflects the great importance to society of protecting listed buildings from unnecessary demolition and from unsuitable and insensitive alteration and should be the prime consideration for authorities in determining an application for consent.

4.2.3 PPG15 recognises that generally the best way of securing the upkeep of historic buildings and areas is to keep them in active use (para 3.8), and that many listed buildings can sustain some degree of sensitive alteration or extension to accommodate new or continuing uses (para 3.13). Paragraph 3.15 states that achieving a proper balance between the special interest of a listed building and proposals for alterations and extensions is demanding and should always be based on specialist expertise, and often demands a flexible and imaginative approach by all the parties involved.

4.2.4 The importance of listed buildings is reflected in Policy E4 of the Approved North Yorkshire Structure Plan, which states that buildings and areas of special townscape, architectural or historic interest (e.g. listed buildings) will be afforded the strictest protection. Policy HE4 of the City of York Draft Local Plan relates specifically to listed buildings and states that consent for development in the immediate vicinity of listed buildings, demolition, internal and external alteration, and changes of use will only be granted where there is no adverse effect on the character, appearance or setting of the building.

4.2.5 POLICY E4 OF THE APPROVED NORTH YORKSHIRE STRUCTURE PLAN (the statutory development plan for the area) states that buildings and areas of special townscape, architectural or historic interest (e.g. conservation areas, listed buildings) will be afforded the strictest protection.

4.2.6 DRAFT LOCAL PLAN POLICY HE2 of the City of York Deposit Draft Local Plan (Fourth Set of Changes), approved for development control purposes on 13 April 2005 states that within or adjoining conservation areas, and in locations which affect the setting of listed buildings, development proposals must respect adjacent buildings, open spaces, landmarks and settings and have regard to local scale, proportion, detail and materials.

4.2.7 DRAFT LOCAL PLAN POLICY HE3 seeks to protect the character and appearance of Conservation Areas. The policy states that proposals for development in conservation areas should reflect street proportions, which are given to floor heights, door and window sizes and disposition. Supporting text of the

policy further states that the elevational treatment of all sides of any development and roofscape are important, not simply the street frontage.

4.2.8 DRAFT LOCAL PLAN POLICY HE4 states that consent will only be granted for development to a listed buildings where there is no adverse effect on the character and setting of the building. Supporting text of this policy further states that, it is important that extensions preserve and enhance the special architectural or historic character of conservation areas and complement the character of listed buildings. Alterations will be expected to be of an appropriate design, using traditional natural materials. The proposal should also be in scale with the original building and respect its character.

#### TERRY'S DEVELOPMENT BRIEF

4.2.9 The Development Brief sets out the main issues and planning policies relating to this site and provides guidance on how it should be redeveloped.

4.2.10 The Brief was subject to public consultation and has been approved by Members. The Brief is being used as guidance in negotiating with developers and progressing planning and listed building / conservation area consent applications on the site.

#### THE RACECOURSE AND TERRY'S FACTORY CONSERVATION AREA CHARACTER APPRAISAL

4.2.11 Part of the Terry's site is located within the Racecourse and Terry's Factory Conservation Area. A character appraisal has been produced in order to properly consider the character of the conservation area and development proposals which may affect it.

#### 4.3 EFFECT ON CHARACTER AND APPEARANCE OF THE EXISTING (LISTED) BUILDING.

4.3.1 The principle of changing the use of the building to general office accommodation (B1) has already been approved previously (07/00540/FUL). This report seeks to examine the impact of the proposals upon the listed building. This part of the scheme has been developed in conjunction with advice from the Council's Conservation Officer and the author of this report.

4.3.2 Policy HE4 of the draft local plan states that development should not have an adverse effect upon the character, appearance or setting listed buildings. Policies HE2 and HE3 further support this policy.

4.3.3 The parallel planning application (08/00010/FUL) addressed the issue of impact upon the conservation area considered it acceptable. The impact upon the proposed scheme upon the listed building and setting of the adjacent listed buildings is considered below.

4.3.4 Applicants for listed building consent must be able to justify their proposals, they need to show why works which would affect the character of a building are

desirable or necessary. In this case there is the desire to make the building more viable, in the long term, as a place of business by maximizing its potential. The building is small with a large envelope in proportion to the available floor area. There would be little scope for extension at ground floor level to meet fluctuations in business use. Furthermore any significant extension would encroach upon the garden area and would also change the simple rectilinear form of the building. The proposals before committee seek permission to add an additional floor of accommodation on the flat roof and the erection of an external service tower to meet full access requirements. The service tower would provide ancillary facilities essential to the upgrade of the building to modern standards/requirements without reducing floor space in the existing building.

4.3.5 Previous proposals for additional accommodation on the roof could not be supported. They would have created an over-dominant feature on top of the building (butterfly roof form exaggerated the eaves height) and were designed with an overtly new character which was seen to be in conflict with the intrinsic nature of the building. The new scheme seeks to minimize the impact of the additional floor by proposing a shallow roof with a low eaves height. This would be set back from the inside of the parapet, with the perimeter wall further recessed under the eaves. Towards the public side on Bishopthorpe Road the set-back has been increased to 2.00 m. The shallow pitched roof would enable the eaves to be low whilst achieving sufficient height within the depth of the plan. Floor to ceiling heights in the existing building are approximately 4.00 m in for each floor and there is a further 1.00 m minimum provided by the parapet i.e. 9.00 m to top of parapet (at its lowest point). By comparison the new floor would be approx 2.30 m in height at its outer edge, leaving an exposed glazed area of less than 1.20 m above the parapet.

4.3.6 The simplicity of the roofline, the relatively low level of the eaves and the position of the new perimeter wall (being 800mm back from the outer edge of the masonry), are considered sufficient measures to visually detach the new floor from the architectural expression of the existing building. In addition the existing structure has been assessed as being adequate to take the new floor, therefore there would be no alteration of the basic structure.

4.3.7 The new service tower has been designed as a separate element in its own right. The tower would be connected to the existing building with recessed glazed panels and there would be connecting floors at each level. It would alter the rear elevation as seen from the garden and it would be seen at a distance from the road through the tree-lined perimeter. The benefits of designing the tower as a detached element are as follows:-

- The existing building would retain its fabric albeit partially hidden;
- The internal floor space would remain interrupted by further vertical circulation and plumbed- in facilities;
- The tower itself would be designed to accept passive solar receptors (facing south);
- The BREEAM assessment projects an "excellent" rating for the building.
- This element would be reversible i.e. it could be removed at a later date without having harmed the envelope of the building.



4.3.8 It is considered that the new elements attached to the building would allow the maximum long term use and flexibility of this building. The scale of change is considered compatible with the earlier C20th alteration of the removal of the carriageway openings. The proposed changes have been designed to minimize their impact on the inherited fabric and design of the building and they are also visually detached from it.

## 5.0 CONCLUSION

5.1 It is considered that the proposals continue the legacy of employment uses on the site. The aforementioned proposals are considered justified and they would not appear to adversely affect the special historic and architectural interest of the building or the character and appearance of the Conservation Area.

5.0.1 The proposed conversion and the former time office building to general B1 office accommodation is considered to be acceptable and satisfies policies E4, of the Approved North Yorkshire Structure Plan policies HE2, HE3, and HE4 of the Draft Local Plan and National Planning Guidance PPS1 and PPG15.

## 6.0 RECOMMENDATION: Approve

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

2 PLANS2 Apprvd plans and other submitted details

3 Prior to the commencement of works hereby approved full details of all new internal walls and finishes and any replacement suspended ceilings, shall be submitted for written approval by the Local Planning Authority and the approved details shall be implemented in their entirety to the satisfaction of the Local Planning Authority. These details should show the connections with the existing structure. New work should be scribed around the existing details. Ceilings must not cut across windows. Existing skirting and window boards, picture rails, architraves and other details should not be removed.

Reason: To retain the character of the listed Building.

4 Prior to the commencement of works hereby approved full details of all new services, including for IT, must be supplied showing how they would be integrated with the existing interior, shall be submitted for written approval by the Local Planning Authority and the approved details shall be implemented in their entirety to the satisfaction of the Local Planning Authority.

Reason: To retain the 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 Former Time Office Building which is a listed building and the Racecourse and Terry's Conservation Area. As such this proposal complies with policy E4 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and policies HE2, HE3 and HE4, of the City of York Local Plan Deposit Draft, also national planning policy guidance PPG15.

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