

COMMITTEE REPORT

Date: 5 April 2018
Team: Major and Commercial Team
Ward: Fishergate
Parish: Fishergate Planning Panel

Reference: 18/00052/LBC
Application at: Fishergate Primary School Fishergate York YO10 4AF
For: Erection of two storey extension with single storey link to existing building together with formation of new openings at ground floor providing play area and first floor nursery accommodation
By: Mrs L Calvert
Application Type: Listed Building Consent
Target Date: 20 April 2018
Recommendation: Refuse

1.0 PROPOSAL

1.1 Fishergate School was designed by WH Brierley for the York School Board in the last decade of the 19th Century. It is valued as an example of Brierley's pioneering design work for new schools, exploiting spatial interest, demonstrating quality of detail and technical innovation. It is Grade II listed.

1.2 This application relates to a large outbuilding situated within the playground of the school and adjacent to Escrick Street. This building is used independently of the main Fishergate School building, for a playgroup and as an out of school club known as Funfishers. It has previously been adapted to create more space by the insertion of a mezzanine floor; and WC's and a kitchen have been introduced on the ground floor. Planning permission is sought for a two and single storey side extension to the existing outbuilding. The single storey extension would connect to the side wall of the host building and link together with the proposed two storey extension. This building part of the School curtilage and is therefore covered by the Grade II listing. The main school building is within the recently extended part of the Central Historic Core conservation area covering Fishergate however the site of the proposal is outside of the conservation area.

1.3 The application is supported by a Heritage Statement, Design and Access Statement, Sustainability Statement and Flood Risk Assessment.

1.4 There is a concurrent listed building consent application ref: 18/00051/GRG3 relating to the proposals for a two and single storey extension to this building.

1.5 This application has been called to be determined at the April Planning Sub - Committee by Councillor Dave Taylor if Officer recommendation is to refuse this application.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Areas of Archaeological Interest: City Centre Area 0006

Conservation Area: Central Historic Core CONF

Listed Buildings: Grade 2; Fishergate Cp School Fishergate York YO1 4AP 0008

2.2 Policies:

Draft Development Control Local Plan 2005

CYHE4 Listed Buildings

Emerging Local Plan policies

Policy D5 Listed Buildings

3.0 CONSULTATIONS

INTERNAL:

Planning and Environmental Management (Conservation Architect)

3.1 Officers object to the proposal on design grounds as it fails to respect the high quality and significance of the adjacent listed building.

EXTERNAL:

Fishergate Planning Panel

3.2 No comments received.

Conservation Area Advisory Panel

3.3 The Panel considered that the design was a good solution to the requirements with the proposed extension being subservient to but in keeping with and respectful to the existing building. It was commended by the majority of the Panel members.

Publicity and Neighbour Notification

3.4 There have been six letters of support for the development from parents and interested parties.

Councillor Taylor

3.5 No objection in terms of design, and can see no detriment to the historic buildings or their setting.

4.0 APPRAISAL

KEY ISSUE

- Impact on special architectural or historic interest of the listed building

PLANNING POLICIES

4.1 The National Planning Policy Framework (NPPF) (March 2012) sets out 12 core planning principles that should underpin both plan-making and decision-taking. Paragraph 56 advises that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to make places better for people. Paragraph 132 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. Paragraph 134 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.

4.2 On 21 February 2018 the Publication Draft York Local Plan 2018 ("2018 Draft Plan") was published for the final six week consultation. The emerging Local Plan policies contained within the 2018 Draft Plan can only be afforded very limited weight at this stage of its preparation, and subject to their conformity with the NPPF and the level of outstanding objection to the policies in accordance with paragraph 216 of the NPPF. However, the evidence base underpinning the emerging Local Plan is capable of being a material consideration in the determination of planning applications.

4.3 2018 Draft Plan 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.

4.4 The Draft City of York Local Plan was approved for development management purposes in April 2005. Its policies carry very limited weight where there are compliant with the NPPF. Policy HE4 Listed Buildings states that consent will only be granted for development in the immediate vicinity of a listed building or external and internal alterations where there is no adverse effect on the character appearance or setting of the building.

ASSESSMENT

4.5 With reference to Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, 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.

IMPACT ON SPECIAL ARCHITECTURAL OR HISTORIC INTEREST OF THE LISTED BUILDING

4.6 The host building has been described as having a pavilion like appearance, incorporating symmetrical three half dormer style windows above Escrick Street. The side wall overlooking the car park has a gable wall attached to three single storey gables off shoots on the play ground elevation screened by the boundary wall. The proposed attached building will measure approx 6.2 metres in height incorporating a floor area of approx 7 metres by approx 13 metres in depth. The proportions of the glazed link entrance will be approx 2.3 metres by approx 8 metres incorporating a brick frontage with timber entrance door of approx 3.4 metres in height. The design would incorporate a double ridge with intervening flat roof on the car park elevation.

4.7 It is considered that the design does not reflect any aesthetic or historic values exhibited in Walter Brierley's work for the listed building. The silhouette of the design of the double ridge when viewed from the side elevation is too dominant and detracts from the carefully considered gable of the existing listed building. Furthermore, the positioning of gutter detail from the intervening flat roof on to the new link building roof is considered to appear incongruous. With regards to the new windows Officers have noted that the head and sills to the dormer on Escrick Street don't align with the existing examples. Also, the use of obscured glazing at the lower level of the window has been considered as an unattractive feature to the window. Officers have acknowledged that there are similar style dormer windows to the three storey development on Escrick Street opposite the proposal. However, it is considered that the existing additions do not make a positive contribution to the special interest of the neighbouring listed building. The new entrance and small signage within the proposed link building opening would not detract from the special interest of the host listed building or its immediate setting and wider views from Escrick Street.

4.8 Officers have advised the applicant of potential amendments to introduce a different roof design to reduce its dominance. Further, discussions have advised that

the proposed window proportions and composition could better reflect those of the listed building. The applicant's agent has written in support of this current design on the grounds that the shape of the ridge height is required to allow for head height on the upper floor and that the window cill height does not allow for a standard floor to ceiling height. The Architect also considers the design of the low ridge height and positioning of the new window in order to allow children to visually connect with the outside areas.

4.9 The Council's statutory duty under section 16 gives rise to a strong presumption against listed building consent being granted, and considerable importance and weight must be given to any harm. Paragraph 132 of the NPPF 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. The harm to the listed building is considered to be less than substantial. Paragraph 134 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 securing its optimum viable use. Whilst, the public benefits of this development are acknowledged to address future community and educational needs, officers do not consider that the harm to the significance of the heritage asset would be outweighed by the public benefits.

5.0 CONCLUSION

5.1 It is considered that the proposals would harm the special architectural or historic interest of the listed building and its setting and would not accord with guidance contained in paragraphs 132 and 134 of the National Planning Policy Framework 2012, Policy D5 (Listed Buildings) of the Publication Draft York Local Plan 2018, Policy HE4 (Listed Buildings) of the Development Control Local Plan and Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Refuse

1 The proposed development fails to adopt the architectural detail of the host building. The design does not fit into the context of the existing building in that development does not reflect any aesthetic or historic values exhibited in Walter Brierley's work. The form of the double ridge with intervening flat roof is uncomfortable and does not reflect the elegant roof forms of the listed building and the design of the extension would appear at odds with the architectural character of the listed building. The proposal would lead to less than substantial harm to the designated heritage asset. It is not considered that the public benefits of this new building identified that would outweigh this harm. Thus the proposals conflict with the requirements of

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and fail to comply with guidance for heritage assets contained within the National Planning Policy Framework, (paragraphs 132 and 134) Emerging Local Plan policy D5 and Policy HE4 of the City of York Development Control Local Plan.

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