

COMMITTEE REPORT

Committee: West and City Centre
Date: 21 September 2006

Ward: Micklegate
Parish: Micklegate Planning Panel

Reference: 06/01294/LBC
Application at: 53 Skeldergate York YO1 6DS
For: Internal and external alterations to existing gymnasium building to create an additional 4 no, apartments at first and second floor level, and a new ground floor entrance (revised scheme)
By: A M And K F Clark
Application Type: Listed Building Consent
Target Date: 4 August 2006

1.0 PROPOSAL

1.1 This application relates to the preceding application for planning permission for the conversion of the upper floors of No. 53 Skeldergate to residential accommodation. See previous item for the full text of this report.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Areas of Archaeological Interest City Centre Area 0006

Conservation Area Central Historic Core 0038

City Boundary York City Boundary 0001

DC Area Teams Central Area 0002

Floodzone 2 Flood Zone 2 CONF

Floodzone 3 Flood Zone 3

Listed Buildings Grade 2; 52 Skeldergate 0923

2.2 Policies:

CYHE4
Listed Buildings

CYGP1
Design

3.0 CONSULTATIONS

3.1 INTERNAL CONSULTATIONS

Urban, Design and Conservation- This revised scheme addresses and largely overcomes the previous concerns about the intensity of the development and how it affects the building. The scheme now accommodates the proposed 5 dwellings without interference with the main structure, and the retention of the windows in unadapted form is noted. Remaining concerns relate to a) the visible bins in the wider conservation area and b) the modern glazed door should be more robust c) details for a safe access/ egress in times of flooding.

3.2 EXTERNAL CONSULTATIONS/ REPRESENTATIONS

MICKLEGATE PLANNING PANEL - No objections

No other representations have been received at the time of writing and as a result of the consultation period that has now expired. Members will be updated of any new representations at the meeting.

4.0 APPRAISAL

4.1 RELEVANT SITE HISTORY

04/04102/LBC Alterations to form Disabled access to comply with D.D.A at 54 Skeldergate.
PER 12.1.2005

05/00527FUL Conversion of first and second floor to five flats. WITHDRAWN 12.5.2005

05/02715/LBC Internal and external alterations to existing gymnasium building to create 5 No. apartments at first and second floor level, new ground floor entrance and new balconies to rear. WITHDRAWN 26.1.2006

05/02714/FUL Change of use and alterations to existing gym building to create an additional 4 No. apartments at first and second floor, erection of first floor glazed fire escape to rear elevation, and extension to existing ground floor entrance (Revised Scheme).
WITHDRAWN 26.1.2006

4.2 ADDITIONAL PLANNING POLICY

Policy E4, North Yorkshire County Structure Plan

PPS 1 " Delivering Sustainable Development "

PPG15 " Planning and the Historic Environment "

4.3 KEY ISSUES

-Impact on the visual appearance and the historic character of the Listed Building

Policy HE4 of the Local Plan protects Listed Buildings. This policy advises that there should be no adverse effect on the character, appearance or setting of the Listed Building. It is supported by Policy E4 of the Approved North Yorkshire County Structure Plan which states

that buildings and areas of special townscape, architectural or historic interest (e.g. conservation areas) will be afforded the strictest protection.

PPG 15 sections 3.8-3.11 state that it is important to balance economic viability against the effect of any changes on the special architectural and historic interest of the building or area in question. This would include the effect on the fabric, interior and setting of the building. It is considered that the proposals in this revised form would have an acceptable impact on the exterior of the building and its site, that would be visible in the conservation area. Although the building has already received many additions, i.e. the stair towers, the conservatory, plant room (moved to the courtyard after the year 2000 floods), the rear facade above the conservatory retains a simplicity in form that reflects its former use. The scale and design of the proposed extension of the entrance would be sympathetic to the original building and would not be unduly intrusive. It would extend into a communal area that is elevated from Skeldergate and also allows pedestrian access to the gymnasium and hotel. The extant approvals for planning permission and listed building consent allow for the slight widening of the gateway, removal of steps, the existing ground levels to be lowered to create a bin store and the provision of a disabled access, resulting in the removal of small trees and vegetation. The existing metal gate would be retained in its open position, with the wall and its associated pier being rebuilt to match the existing appearance and detailing.

In relation to this application, it was considered that the formation of the bin storage area behind the boundary wall and its alterations, would not affect an original feature of the Listed Building. Whilst these changes to the area have been approved in the planning and listed building applications for commercial bin storage, this application now proposes that the bin storage area in this location would be for the sole use of the proposed residential development. Clearly the siting of large commercial bins near the highway makes for easier emptying, and the siting of the large commercial bins in this location would overcome the existing access arrangements from the Cromwell Road that involve refuse vehicles reversing down a 1 in 6 ramp. There is not the same justification to site the bins in a prominent location as smaller residential bins would be more manoeuvrable. The bins would be visible through the railings as an unsightly feature and it is considered that the setting of the listed building would be affected. They could be moved further into the site and then screened to be less obvious whilst retaining the attractive pedestrian entrance from Skeldergate. On this basis, it is considered that the proposal would comply with Policy HE4 of the draft Local Plan and Policy E4 of the Structure Plan.

5.0 CONCLUSION

5.1 For the reasons that are expanded above and in the absence of conflict with relevant planning policy, it is considered that Listed Building consent should be granted.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

- 1 TIMEL2
- 2 The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details:-

Drawing Nos. LAL D Drawing No. 8 Rev. A
LAL D Drawing No. 9

Noise Impact Assessment Report No. 3589. 1v 2, November 2005 and addendum letter No. 3589.2/1 received 13/3/2006,

or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans.

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

- 3 Large scale details of the items listed below 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) entrance door and canopy
- b) screening for waste bins
- c) bicycle shelter
- d) measures for secondary glazing
- e) measures for additional sound and fire-proofing in the floor zone.

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

- 4 Existing partitions shall be removed and areas affected shall be made good to match their surroundings.

Reason; In the interests of the visual amenity and historic character of the Listed Building.

- 5 A detailed scheme for landscaping showing the whole of the external entrance area, including its paving, walls and planting shall be submitted for the written approval of the Local Planning Authority, and thereafter implemented in accordance with the approved details.

Reason; To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity and the setting of the Listed Building.

- 6 Notwithstanding the submitted details and the provisions of Condition 2 above, the residential bin storage area as detailed on Drawing No. LAL 3 Revision D shall not be built. Prior to the commencement of the development hereby approved, details of an alternative, less intrusive siting for the bin storage area and the measures for screening shall be submitted for the written approval of the Local Planning Authority, and thereafter implemented and retained in accordance with the approved details.

Reason; In the interests of visual amenity,

- 7 Notwithstanding the submitted details and the provisions of Condition 2 as detailed above, the bin store area shall not be built in the position as indicated on Drawing no. LAL 03F. Prior to the commencement of the development hereby approved, details of alternative arrangements that shall site the bin storage area in a discreet location

shall be submitted for the prior approval of the Local Planning Authority, and shall thereafter be implemented and retained in accordance with the approved details.

Reason: In the interests of the visual amenity and historic character of the Listed Building and the Central Historic Core Conservation Area.

- 8 Notwithstanding the submitted details, the proposed bridge extension to the northern tower that would link to No. 55 as indicated on Drawing No. LAL 03F shall not be erected.

Reason: In order to protect the Listed Building from inappropriate development that would detract from its visual and historic interest.

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 the visual amenity and character of the listed building. As such, the proposal complies with Policy E4 of the North Yorkshire County Structure Plan; Policies HE4 and GP1 of the City of York Draft Local Plan- Incorporating the Proposed 4th Set of Changes Deposit Draft; and national planning guidance contained in Planning Policy Statement 1 " Delivering Sustainable Development " and Planning Policy Guidance Note No. 15 " Planning and the Historic Environment. "

Contact details:

Author: Fiona Mackay Development Control Officer (Tues - Fri)
Tel No: 01904 552407