

COMMITTEE REPORT

Date: 16 September 2010 **Ward:** Guildhall
Team: West/Centre Area **Parish:** Guildhall Planning Panel

Reference: 10/00619/FUL
Application at: Stable Block Chapter House Street York
For: Conversion of coach house to provide 7no. letting bedrooms ancillary to Grays Court
By: Mr John Edwards
Application Type: Full Application
Target Date: 7 June 2010
Recommendation: Refuse

1.0 PROPOSAL

1.1 This application seeks planning permission for the conversion of the former stable block within the grounds of Gray's Court for 7 No. letting bedrooms ancillary to the single dwellinghouse and bed and breakfast letting and self-contained holiday dwelling that were approved as part of a planning consent at Gray's Court in March 2006 (LPA ref. 05/01557/FUL). The building and the adjacent garage is currently used as storage for Gray's Court and can be accessed from the courtyard of Gray's Court by a garden driveway and from Monk Bar Court through a pair of double gates. It is intended that meals would be provided within Gray's Court. The existing car parking areas and garaging would be designated for visitors, accessed via the garden driveway. Cycle racks and bicycles would be available to guests. The applicant indicates that the proposal would result in the creation of 5 No. full time jobs in conjunction with Gray's Court.

1.2 The Coach House is located in the north east corner of the "Minster Precinct" at the head of Monk Bar Court on the site of a former foundry built adjacent to the City Walls. The building was introduced in the second half of the C19th to serve Gray's Court, and its construction appears to have allowed the demolition of stabling previously attached to the east wing of the main house. This demolition enabled the new drive to be formed linking Gray's Court itself with the new Coach House. The entrance to the drive is marked by C18th gate piers which were relocated from Treasurer's House in 1902. Gray's Court is a Grade 1 Listed Building. The whole site lies within the Central Historic Core Conservation Area. The ground around the Coach House and the adjacent City Walls are classified as a Scheduled Ancient Monument.

1.3 The application is supported by a Design and Access Statement, Heritage Statement (19 May 2010). Additional supporting information that addresses a request from English Heritage for further information was submitted on 11 June 2010 and includes a conservation area character assessment and further details of the service provision. Revised plans have been submitted that give details of the drainage and a designated parking area adjacent to the City Walls.

RELEVANT PLANNING HISTORY

1.4 Related listed building consent application- Ref. No. 10/00620/LBC Conversion of coach house to provide accommodation ancillary to Gray's Court.

1.5 Pending applications- LPA Ref Nos. 10/00621/FUL and 10/00622/LBC Conversion of Coach House to provide a single dwellinghouse.

1.6 Planning permission was granted by the City Centre Area Planning Sub-Committee in March 2006 for the change of use of Gray's Court to a dwellinghouse, with bed and breakfast accommodation and a self-contained flat (LPA ref. 05/01557/FUL).

1.7 The application has been called-in to Sub-committee for consideration by Councillor Brian Watson because of the sensitivity of the site and surrounding historic buildings.

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 1; City Walls Bootham Bar To Monk Bar 0577

Listed Buildings GMS Constraints: Grade 1; 1 Grays Court Chapter House Street York 0723

Listed Buildings GMS Constraints: Grade 2; 6 Chapter House Street York YO1 2JH 0725

Scheduled Ancient Monuments GMS Constraints: SMR 13280 York Minster Precinct Inc. Section Of City Walls

2.2 Policies:

CYHE2 Development in historic locations

CYHE3 Conservation Areas

CYHE4 Listed Buildings

CYHE10 Archaeology

CYGP4A Sustainability

CYGP15 Protection from flooding

CYHE11 Trees and landscape

CYHE9 Scheduled Ancient Monuments

CYV3 Criteria for hotels and guest houses

3.0 CONSULTATIONS

INTERNAL CONSULTATIONS

Design, Conservation and Sustainable Development (Conservation Architect)

3.1 Objections to the proposals in terms of their impact upon the character and appearance of the building and the impact upon the setting of nearby listed buildings and the city walls and upon the character and appearance of the conservation area. Considers that the conversion of the building to provide 7 no. additional double bedrooms and bathrooms is most likely to change the quiet atmosphere surrounding the building and it would place further pressure on the immediate area outside the building for resident's car parking. The applicant has not provided exact information of where displaced parking for the owners and staff would be accommodated and any additional requirement from 7 letting bedrooms could cause a further demand for hard-standing within this sensitive site. The supporting statement confirms that access to the site would be along the driveway through the garden rather than from the access from Monk Bar Court. The increased number of arrivals, and daily "comings and goings" in the area, and the servicing and waste requirements associated with the intensification of use are also likely to adversely affect the side garden of Gray's Court and the setting of the National Trust Herb Garden at the rear of the Treasurer's House.

3.2 No improvements are shown to the landscape or surfacing immediately surrounding the building. The immediate environs of the Coach House are in a poor state and the relocation of existing storage has not been specified. There is inadequate information to properly assess the full impact of the intensified use on the character and appearance of the conservation area and on the setting of other heritage assets which are experienced from the vicinity of the Coach House. Other assets affected by proposals include buildings and structures of the highest heritage value such as the City Walls, the garden setting of Gray's Court and its drive, and views of the Minster.

3.3 This part of the conservation area is away from the bustling commercial heart of the city. Its extensive open areas of landscape allow for recreation and visual relief. It is dominated by the Minster and has quiet streets, courtyards and other semi-private and private residential enclaves bounded by high walls, railings and mature trees. The proposals would blur the distinction between the commercial activity of the city centre and the quiet recreational or residential uses of the Minster Precinct.

Design, Conservation and Sustainable Development (Natural Environment)

3.4 No objections following the submission of a bat survey and advise that the recommendations of the survey would be acceptable to the Local Planning Authority. Any permission would require a condition that ensures that details of measures for bat mitigation and conservation are approved by the Local Planning Authority and the applicant obtains a Natural England Protected Species Licence for the works.

Design Conservation and Sustainable Development (Archaeology)

3.5 Watching brief required.

Environmental Protection Unit

3.6 The applicant has submitted a Screening Assessment of Land Contamination and no comments have been received from the Environmental Protection Unit. Proposed use for ancillary accommodation would be unlikely to cause harmful noise levels.

Structures and Drainage

3.7 The development is situated within low risk Flood Zone 1 and should not suffer from river flooding. Insufficient information has been provided by the Developer to determine the potential impact the proposals may have on the existing drainage systems.

Highway Network Management

3.8 No highway objections.

City Development

3.9 Comments on relevant policies to consider in the determination of the application

EXTERNAL CONSULTATIONS/ REPRESENTATIONS

Guildhall Planning Panel

3.10 Supports the planning application

Conservation Area Advisory Panel

3.11 The Panel considers there should be no exterior alterations to building. The Panel considers that the scheme to convert the stable block into 7 double bedrooms as bed and breakfast accommodation would be inappropriate in that it would introduce a large commercial enterprise into the heart of one of the quietest and most sensitive areas of York. It was felt that one of the most cherished and famous views of York would be adversely affected if this scheme was approved.

Civic Trust

3.12 Supports the proposal to restore and re-use neglected building, but would strongly object to the increased use of the driveway through the garden of Gray's Court. The garden has not been used for this purpose; and its role in the settings of Gray's Court, the Minster, and its proximity to the City Walls would be harmed by the use for vehicular traffic. The conversion for bedrooms associated with Gray's Court would be likely to encourage vehicular access and parking, and would therefore not be acceptable.

English Heritage

3.13 Any comments will be reported verbally.

Publicity

3.14 Five letters have been received objecting or commenting on the proposal. They raise the following points:

- Support the principle of restoring the building (2)
- Access through the grounds of Gray's Court should be used as Monk Bar Court is congested (2)
- Concern about increased noise from parking
- Long term adverse impact on area
- Bat survey required as evidence of bats
- Proposed porch and solar panels would be incongruous with building and location, and prominent from the City Walls
- Lack of curtilage details does not allow proper assessment of impact of dwelling in sensitive, historic location
- Car parking should be restricted to use of existing garage
- Local Planning Authority should investigate the loss of the planting area adjacent to the City Walls that is being unlawfully used as a parking area/ Object to car parking adjacent to City Walls (2)
- Additional bat survey and sustainability required to assess the application
- Fire hazard from unsupervised guest rooms remote from the main house with restricted access and water supply

4.0 APPRAISAL

4.1 KEY ISSUES

- Land use
- Impact on listed buildings and the character and appearance of conservation area/ design
- Archaeology/ Scheduled Monument
- Impact on neighbouring residential amenity
- Impact on highway safety
- Sustainable development
- Drainage

RELEVANT PLANNING POLICY

LOCAL PLAN POLICIES

4.2 The relevant development plan is the City of York Council Draft Deposit Local Plan, which was placed on Deposit in 1998. Reflecting points made, two later sets of pre- inquiry changes (PICs) were published in 1999. The Public Local Inquiry started in 1999 but was suspended by the Inspector for further work to be done on the Green Belt. A Third Set of Changes addressing this further work was placed on deposit in 2003. Subsequently a fourth set of changes have been drafted and approved by Full Council on 12th April 2005 for the purpose of making Development Control Decisions, on the advice of the GOYH.

4.3 Policies HE2, HE3 and HE4 of the Local Plan state that consent will only be granted for new developments and changes of use when there is no adverse effect on the character, appearance or setting of listed buildings and the conservation area. Policy HE11 seeks to ensure that trees and landscaping which are part of the setting of any heritage asset will not be harmed by new development. Policy GP4a requires all new developments to have regard to the principles of sustainable development. Policy GP15a: Development and Flood Risk requires that sustainable drainage is encouraged. Otherwise discharge from new development should not exceed the capacity of receptors and water run-off should, in relation to existing run-off rates, be reduced. Policies HE9 and HE10 of the Local Plan seek to preserve scheduled ancient monuments and archaeological remains from harmful development. Policy V3 allows for extensions to existing guest houses provided that the proposal would not have an adverse effect on the residential character of an area and is well related to the city centre and other visitor attractions.

NATIONAL POLICY

4.4 Planning Policy Statement 5 " Planning for the Historic Environment " seeks to ensure that the special characteristics of listed buildings are not adversely affected by inappropriate developments. The PPS has a companion Historic Environment Planning Practice Guide (March 2010) that gives further guidance. Central Government Guidance on economic growth is contained in Planning Policy Statement 4 "Planning for Sustainable Economic Growth" and Planning Policy Statement 1 " Delivering Sustainable Development " advises that planning should facilitate sustainable development that will ensure high quality development through good and inclusive design, and the efficient use of resources.

ASSESSMENT

LAND USE

4.5 Planning policy as contained in Policy V3 of the Local Plan allows for appropriately located visitor accommodation and Planning Policy Statement 4 "Planning for Sustainable Economic Growth" seeks to promote growth in sustainable locations and specifically encourages new uses for vacant or derelict historic buildings. In principle, the proposed ancillary use in this sustainable city centre

location could be acceptable provided all other material considerations can be satisfied.

4.6 The area that immediately surrounds the application site at the Coach House is mainly residential in character, with the properties on either side and at the rear of the application site are in residential use. There are visitors to the adjacent City Walls, the Treasurer's House and now to Gray's Court that introduce daytime activity to the area but the Coach House relates to the smaller scale residential developments in Monk Bar Court. The proposed introduction of a commercial activity that would generate considerably more comings and goings than associated with a single dwelling or the existing use and would impact on the neighbouring land uses. Despite the close relationship with neighbouring residential development, the application site is reasonably well contained by walling etc. In isolation, the use of the property for letting bedrooms would not create significant levels of activity that would harmfully impinge on the neighbouring uses provided the use is contained to the building itself, and the character of the area and the quality environment is retained. However Members will note from para 1.1 above that the proposal is for letting bedrooms ancillary to the use granted, but not yet completed, at Gray's Court. This planning permission allowed for the use of Gray's Court as private dwelling house with bed and breakfast accommodation along with a separate dwelling in the east wing and the retained former caretaker's flat. The private dwelling/bed and breakfast was shown with up to 15 bedrooms. While it is known that the owner's plans in respect of Gray's Court have changed since the 2006 approval, that approval remains as the planning permission for the development. The addition of 7 further letting bedrooms within the planning unit will alter the use of the premises significantly away from that envisaged in the 2006 approval with the private dwelling forming a very limited part of the use, effectively changing the use of Gray's Court. Such a proposal would be more properly considered as part of a comprehensive application covering the use of Gray's Court and the Stable Block which would allow the assessment of the use as a whole on the character and appearance of the Conservation Area and on neighbouring residential amenity.

DESIGN/ LISTED BUILDING/ CONSERVATION AREA

4.7 Gray's Court is situated within a highly sensitive part of the Central Historic Core conservation area which contains heritage assets of the highest architectural, historic and archaeological value. The area forms part of the wider setting of the Minster. The extensive landscape gardens, within which Gray's Court and Minster Court sit, provide a beautiful foreground to the City Walls (Grade 1 and Scheduled Ancient Monument) and they also enrich the experience of the City Wall Walk and views from it. Pevsner regarded this stretch of the walls as providing one of the most agreeable walks in York (Pevsner N & Neave D "Yorkshire: York and the East Riding").

4.8 The Coach House is a two storey structure situated remote from the main house. It is physically associated with the group of smaller scale residential buildings at Monk Bar Court and Gowland Court. The main aspect of the building faces towards the City Walls which are only 4-6m away. Architecturally the building is of its time, having a distinctive roof-form with pronounced gables and decorative bargeboards, though larger openings of a utilitarian nature have been formed in the

ground floor external walls. The supporting statement for the proposals refers to the Coach House having housed the first privately owned car in York; so the building has been adapted to house cars although it currently appears to be in use for storage and it is in need of repair.

4.9 The area around the building is of poor quality concrete and tarmac and an adapted outbuilding forms the separate garage. Recently car-parking arrangements at Gray's Court have been re-ordered and this has affected the area immediately to the north-west of the Coach House where part of the green border/embankment has been grubbed up to provide a standing area for cars adjacent to the City Walls. The Local Planning Authority would not support the use of this area for car parking because of the adverse visual impact on the City Walls, the conservation area, and the setting of listed buildings. The proposed car parking due to its close proximity to the City Walls would be obtrusive and prominent, and would harmfully impact in the open character of this part on the conservation area, the visual amenity of and from the adjacent scheduled monument, and the visual amenity of important landscape and iconic views.

4.10 Whilst the spatial configuration of the building would appear to suit the new use, other heritage impacts must be taken into account such as:- the direct effect of physical changes on the nature of the building; the effect of changes on the setting of the building and the contribution of the changed setting to the wider area. PPS 5 and the companion Historic Environment Planning Practice Guide (March 2010) reinforce the importance of understanding these wider impacts.

Impact on the significance of the Coach House Building-

4.11 Although the proposals would fit within the existing layout without altering many of the main structural walls, there is a greater degree of subdivision (than in the related proposal for a single dwelling) to accommodate individual bathrooms for the letting bedrooms. Currently there is insufficient information to be able to assess the impact of proposals on the character of the interior. Building services would be intensified and it is unclear how these services would integrate into the building.

4.12 Some of the alterations to exterior openings reduce the utilitarian character of the building by introducing elements which are domestic in appearance, such as the addition of a porch. The new windows and doors would be vertical in emphasis and would cause the loss of the more generously proportioned openings. In addition there would be the loss of the stable doors, taking-in hatches, and the glazed and timbered screen at the bottom of the central stair. It is important that these characteristic elements of the original building are retained even if glazing has to be introduced (paras. 185 & 186 of the Practice Guide).

4.13 The number, size and disposition of rooflights and solar panels on the rear roof slope would harm the simple appearance of the slated roof. These elements need to be reduced in number and rationalized in alignment and design.

Setting and Wider Environment of the Conservation Area

4.14 When determining planning applications within conservation areas, the Council has a statutory duty to consider the desirability of preserving or enhancing the character and appearance of the area. This duty is reflected in Policies HE2 and HE3 of the Local Plan and remains a key requirement in the recent PPS5 and its Practice Guide. The new guidance on planning for the historic environment (PPS 5) gives added weight to the importance of preserving or enhancing the setting of heritage assets. The Practice Guide explains that the experience of setting is usually more extensive than the immediate curtilage of a building. In some cases, an asset's setting may be affected by a scheme at some distance away. Policy HE11 of the Local Plan seeks to preserve landscapes that are part of the setting of the conservation area, listed buildings and scheduled monuments.

4.15 The conversion of the building to provide 7 no. additional double bedrooms and bathrooms is most likely to change the quiet atmosphere surrounding the building and it would place further pressure on the immediate area outside the building for resident's car parking. The applicant has not provided exact information of where displaced parking for the owners and staff would be accommodated and any additional requirement from 7 letting bedrooms could cause a further demand for hard-standing within this sensitive site. The supporting statement confirms that access to the site would be along the driveway through the garden rather than from the access from Monk Bar Court. The increased number of arrivals, and daily "comings and goings" in the area, and the servicing and waste requirements associated with the intensification of use are also likely to adversely affect the character and appearance of the conservation area, views from the city walls and the setting of nearby listed buildings.

4.16 No improvements are shown to the landscape or surfacing immediately surrounding the building. The immediate environs of the Coach House are in a poor state and the relocation of existing storage has not been specified. There is inadequate information to properly assess the full impact of the intensified use on the character and appearance of the conservation area and on the setting of other heritage assets which are experienced from the vicinity of the Coach House. Other assets affected by proposals include buildings and structures of the highest heritage value such as the City Walls, the garden setting of Gray's Court and its drive, and views of the Minster.

4.17 This part of the conservation area is away from the bustling commercial heart of the city. Its extensive open areas of landscape allow for recreation and visual relief. It is dominated by the Minster and has quiet streets, courtyards and other semi-private and private residential enclaves bounded by high walls, railings and mature trees. The proposals would blur the distinction between the commercial activity of the city centre and the quiet recreational or residential uses of the Minster Precinct.

4.18 The proposals would harm the special character and appearance of the conservation area and would conflict with the statutory duty of the Local Planning Authority and Policies HE2, HE3 and HE11 of the Local Plan that seeks to retain the quality of the landscape as an essential component in the character of the conservation area.

ARCHAEOLOGY/ SCHEDULED MONUMENT CONSENT

4.19 The site is within the city centre area of archaeological importance. Policy HE10 of the Local Plan seeks to preserve important archaeological remains and requires that applications demonstrate no more than 5% of archaeological deposits are disturbed or destroyed during works. A watching brief is required via a condition as the site has been developed previously and it is understood that the applicant will be applying for Scheduled Monument Consent. The existing car parking adjacent to the City Walls is likely to have an adverse impact on the scheduled monument and would not be supported by Policy HE9 of the Local Plan that seeks to preserve the significance of heritage asset.

RESIDENTIAL AMENITY

4.20 The area is predominantly residential and local residents have expressed concern about the introduction of a commercial residential use with its associated increased activity levels. Whilst it is likely that the currently peaceful ambience of the site and its surroundings would be altered by use as 7 No. separate bedrooms, the Environmental Protection Unit consider that there should be no significant loss of amenity due to people coming and going from the Coach House.

HIGHWAY SAFETY

4.21 The site is in a very sustainable location and Highway Network Management would support no further car parking being suggested by the applicant. The level of traffic that would be generated by the proposed level of ancillary accommodation with the existing 2 no. car parking spaces is considered to be negligible and could be accommodated on the adjacent highway. Details of the provision of cycle parking would be required if planning permission is granted.

SUSTAINABLE DEVELOPMENT

4.22 The building is situated in a sustainable location within the City Centre, would re-use a redundant building without the need for substantial rebuilding or alteration, and would include energy efficient solar panels on the rear (SW) slope of the building that would contribute to the provision of hot water for the guest accommodation.

DRAINAGE

4.23 The proposed development is situated in the low risk Flood Zone 1 and should not suffer from river flooding. However, insufficient information has been provided by the Developer to determine the potential impact the proposals may have on the existing drainage systems. The applicant should provide a topographical survey showing the existing and proposed ground and finished floor levels to ordnance datum for the site and adjacent properties and existing and proposed surfacing should be specified. In this instance, because of the relatively limited proposals for additional hard surfacing it is considered that these details could be required by condition.

5.0 CONCLUSION

5.1 While the use of the stable block as letting accommodation could be acceptable in principle under policy V3, the application has failed to demonstrate that the proposals would not harm the character and appearance of the conservation area and the setting nearby listed buildings by the provision of additional parking spaces and the displacement of existing parking and storage facilities. Furthermore the proposed external alterations to the building would harm appearance of the building and the conservation area. As such the proposal fails to meet the objectives of Policies HE2, HE3, HE4, and HE11 of the Local Plan and policies HE 6.2, HE 7.2, HE 9.4 and 10.2 of Planning Policy Statement 5 " Planning for the Historic Environment ", by altering the character of the building as a coach house, by undervaluing the significance of the heritage asset as a whole, by failing to acknowledge the contribution of the proposals to the wider setting and views of some of York's most valued heritage assets.

5.2 The proposed 7 letting bedrooms would be ancillary to the private dwellinghouse with bed and breakfast accommodation allowed at Gray's Court under the 2006 permission. This extended planning unit will alter the use of the Gray's Court as a whole significantly away from that originally envisaged with the private dwelling forming a very limited part of the use, effectively changing the use of Gray's Court. Such a proposal would be more properly considered as part of a comprehensive application covering the use of Gray's Court and the Stable Block which would allow the assessment of the use as a whole on the character and appearance of the Conservation Area and on neighbouring residential amenity.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Refuse

1 The application proposals fail to demonstrate that parking for the proposed use and the displacement of existing parking and storage facilities from the building would not harm the character and appearance of the conservation area, the setting of nearby listed buildings and views from the adjacent city walls. Car parking in such close proximity to the City Walls would be obtrusive and prominent, and would harmfully impact in the open character of this part on the conservation area. As such the proposals would not meet the objectives of Policies HE2, HE3, HE4 and HE11 of the City of York Local Plan (2005) and policies HE 6.2, HE 7.2, HE 9.4 and 10.2 of Planning Policy Statement 5 " Planning for the Historic Environment, " by undervaluing the significance of the heritage asset as a whole, and by failing to acknowledge the contribution of the proposals to the wider setting and views of some of York's most valued heritage assets.

2 The proposed use of the building as 7 letting bedrooms in association with the private dwellinghouse at Gray's Court would intensify the commercial use of Gray's Court as a whole, and would materially change the approved planning use which is that of a private dwellinghouse including bed and breakfast letting, as part of the

planning permission dated 7th March 2006 (LPA ref: 05/02557/FUL). As such the proposal can only properly be considered as part of a planning application for the use of Gray's Court and the Stable Block as a whole.

3 The proposed external alterations to the building including the size and number of rooflights, the introduction of solar panels, the erection of a porch, the vertical emphasis of new windows and doors and the loss of characteristic features such as the stable doors and taking-in hatches would reduce the utilitarian character of the building and harm the appearance of the building adversely affecting the character and appearance of the conservation area and the setting of nearby listed buildings. As such the proposals would not meet the objectives of policies HE2, HE3 and HE4 of the Development Control Local Plan or of policies contained within Planning Policy Statement 5 "Planning for the Historic Environment".

7.0 INFORMATIVES:

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