

COMMITTEE REPORT

Appendix 1

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

Reference: 10/00621/FUL
Application at: Stable Block Chapter House Street York
For: Conversion to provide a single dwellinghouse with external alterations including porch, new rooflights and solar panels and alterations to windows and doors.
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 to a single 4 bedroom dwellinghouse. The building and the adjacent garage is currently used as storage for Gray's Court. The Coach House can be accessed from the courtyard of Gray's Court by a garden driveway and from Monk Bar Court through a pair of double doors.

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 proposed conversion to a dwelling would involve the following alterations -

- a) a pitched roof porch extension
- b) new windows and doors to the former garage door openings and insertion of rooflights
- b) solar panels on the south west roof slope
- c) tidying up the site and making good of hard standing areas and surrounding boundary walls
- d) repair works that include new slate roofs and new painted timber joinery

RELEVANT PLANNING HISTORY

1.4 Related planning application - LPA Ref. No. 10/00622/LBC Conversion of Coach House to provide a single dwellinghouse.

1.5 Pending applications- LPA Ref N0s. 10/00619/FUL and 10/00620/LBC Conversion of Coach House to provide accommodation ancillary to Gray's Court.

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 is reported to Sub-Committee at the request of Councillor Brian Watson because of the sensitivity of the site.

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; 1 Grays Court Chapter House Street York 0723

Listed Buildings GMS Constraints: Grade 1; City Walls Bootham Bar To Monk Bar 0577

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

CYH4a Housing Windfalls

CYHE10 Archaeology

CYHE11 Trees and landscape

CYGP4A Sustainability

CYGP15 Protection from flooding

CYHE9 Scheduled Ancient Monuments

3.0 CONSULTATIONS

INTERNAL CONSULTATIONS

Design, Conservation and Sustainable Development (Conservation Architect)

3.1 Objections to the external alterations to the building which would reduce the characteristic utilitarian character of the building and the impact of the roof alterations. Inadequate information has been submitted to show that the conversion would not be harmful to the character and appearance of the conservation area and the understanding of the heritage asset as a whole, in terms of the requirement for and displacement of car parking, plot sub-division and loss of the existing storage facility for Grays Court.

Design, Conservation and Sustainable Development (Natural Environment)

3.2 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)

3.3 Watching brief required

Environmental Protection Unit

3.4 The applicant has submitted a Screening Assessment of Land Contamination and no further comments have been received from the Environmental Protection Unit.

Lifelong Leisure and Learning

3.5 The developer would require to pay a commuted sum to the Council as a result of the development. This money would be targeted towards the improvement of local amenity open space and play space such as Clarence Gardens, and the improvement of sports pitches within the East Zone of the Sport and Active Leisure Strategy.

Structures and Drainage

3.6 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

3.7 No objections

EXTERNAL CONSULTATIONS/ REPRESENTATIONS

Guildhall Planning Panel

3.8 Supports the planning application

Conservation Area Advisory Panel

3.9 The Panel considers there should be no exterior alterations to building. The Panel has concerns about the lack of access and curtilage issues. The Panel also makes the point that should the storage and garaging facilities to the main house be lost that this could have a further impact on the area should more storage be required in the future.

Environment Agency

3.10 No comment.

English Heritage Comments

3.11 Do not object to the principle of converting the Coach House to dwelling and are happy to defer matters of detail on the conversion and listed building consent to the local authority.

York Civic Trust

3.12 Supports the proposal to restore and re-use neglected building to dwellinghouse, but would not support 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. Access should be via Monk Bar Court. Issues affecting the Scheduled Monument should be resolved before any change of use is granted.

Yorkshire Water

3.13 No comments

Publicity

3.14 Five representations from surrounding residents have been received that object or comment 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, historic, narrow, noisy, cobbled access (3)
- 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
- Remedial works would impact on foundations of adjoining property

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
- Open space provision
- 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 states 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 ant heritage asset will not be harmed by new development. Policy H4 would

support residential conversions provided the site has good accessibility, is appropriate to the character of the area without harming existing landscape features, and would not harm the amenity of neighbours. 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 H4a allows for the conversion of existing buildings to residential use where the site has good access to jobs, shops and services by non-car modes and would not have a detrimental impact on existing landscape features.

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 housing developments is contained in Planning Policy Statement 3 "Housing" 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 The surrounding area forms a largely quiet residential area within the City Centre and the properties on either side and at the rear of the application site are in residential use. Therefore, in principle the use of the application property for a single dwelling house would be a compatible use with the surrounding area and would be in general accordance with policy H4a.

DESIGN/ LISTED BUILDING/ CONSERVATION AREA

4.6 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").

4.7 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 barge-boards, 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.

4.8 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 visual impact on the City Walls, conservation area, and the setting of listed buildings. The submitted drawings for the proposed dwellinghouse do not indicate this area as a designated parking area.

4.9 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; the contribution of the changed setting to the wider area; and the detachment of the new use from its historic role as a service area for Gray's Court. PPS 5 and the companion Historic Environment Planning Practice Guide (March 2010) reinforce the importance of understanding these wider impacts.

Impact on the Coach House Building-

4.10 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. The proposed roof alterations would introduce a number of rooflights that have not been clearly justified by the applicant e.g. the one on the front roof slope facing the City Walls does not relate practically to the interior. The number and disposition of rooflights together with the proposed solar panels would give a messy appearance to the rear roofslope of the building.

4.13 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).

4.14 Since it was constructed the Coach House has provided a service function ancillary to Gray's Court, first housing coaches and stabling and then private vehicles and storage. The building is not related architecturally or physically to the main house but the historical connection is important to our understanding of the use of the site over approximately 150 years. The building has particular connections with Edwin Gray, former Lord Mayor of York, and his pioneering relationship with the motor car. The proposed new use as an independent house would sever these

connections and remove the building from the wider estate as a potential service and storage resource. This would lessen our understanding of the heritage asset as a whole.

Setting and Wider Environment of the Conservation Area

4.15 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.

4.16 It is considered that the conversion of the building into a four bedroom house is most likely to place further pressure on the immediate area outside the building but within the grounds of the setting of the Grade 1 Listed Building. The supporting statement implies that the existing car parking spaces for the owners and staff of Gray's Court would remain in this location; so any additional requirement for car parking associated with the new dwelling would be likely to cause a further increase in hard-standing near the dwelling. The supporting statement clarifies that there would be no physical boundary constructed to demarcate the area owned/used by the new house from Gray's Court. Although it is the intention of the applicant to retain ownership of the proposed dwellinghouse and control of the land uses within the site, this may alter in the future with the Local Planning Authority having no control over the land uses within the site and their potential impact in this sensitive location. Furthermore the loss of the building as a storage building would be likely to increase the need to provide storage for the uses at Grays Court elsewhere, no details have been provided to allow an analysis of this. Local Plan Policy HE11 advises that many buildings have gardens that are fundamental to the quality of their setting. The quality of this garden setting is an essential component in the setting of Gray's Court as a listed building and the dramatic townscape setting of the Minster, and the impact of a new dwelling and its incumbent uses could have future impacts on this treasured setting.

4.17 It is concluded that the information submitted is inadequate to properly assess the full impact of the proposals on the immediate curtilage of the building and other heritage assets of the highest significance, such as the City Walls, the garden setting of Gray's Court and its drive, and views of the Minster. The proposal would therefore be contrary to 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.

ARCHAEOLOGY/ SCHEDULED MONUMENT CONSENT

4.18 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 would be 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.

RESIDENTIAL AMENITY

4.19 The area is predominantly residential. The design and layout proposed provides reasonable private amenity space for future occupants, discreetly located waste storage, and due to the relationship with surrounding buildings, the development would not lead to undue overlooking. There is unlikely to be any additional harm to the amenity that adjoining neighbours can reasonably expect to enjoy with the occupation of the building as a single dwelling.

4.20 The party wall, construction methods and fire safety concerns raised by the occupier of the adjoining property are separate matters from planning legislation and would be covered by Building Control and Party Wall legislation.

HIGHWAY SAFETY

4.21 The proposed use as a single dwelling house would have no adverse impact on highway safety in terms of traffic generation and theoretically any increased demand for vehicle parking could be physically accommodated on the site or within the ownership of the applicant, subject to other material considerations. As there are no cycle parking facilities shown on the plans for residents use, this could be conditioned as part of any approval.

OPEN SPACE PROVISION

4.22 The development would require a commuted sum of £3006 towards the provision of open space within the area to comply with Policy L1c of the Local Plan.

SUSTAINABLE DEVELOPMENT

4.23 The applicant has submitted a sustainability statement in accordance with Policy GP4a of the Local Plan and the Council's interim planning statement on sustainable design and construction that promotes sustainability in new dwellings. 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 measures solar panels on the rear (SW) slope of the building that would hopefully provide hot water for the guest accommodation.

DRAINAGE

4.24 The proposed development is situated in the low risk Flood Zone 1 and should not suffer from river flooding. However, despite the information submitted on the revised plans, there is 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. Without this important information, the Local Planning Authority cannot make an assessment as to what effect the development will have on the downstream watercourse. However given the scale of the proposal it is considered that in this case a planning condition could be imposed should permission be granted.

5.0 CONCLUSION

5.1 While the use of the stable block as a single dwelling could be acceptable in principle under policy H4a, 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 and the lack of clarity regarding the sub-division of the site. 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.

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. 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 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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