

## COMMITTEE REPORT

**Committee:** West/Centre Area  
**Date:** 19 July 2007

**Ward:** Guildhall  
**Parish:** Guildhall Planning Panel

**Reference:** 07/01053/LBC  
**Application at:** Bay Horse 68 Marygate York YO30 7BH  
**For:** Internal and external alterations in connection with conversion of existing public house into 4no. offices at ground floor level and 4no. apartments to first floor  
**By:** Wolverhampton And Dudley Breweries Plc  
**Application Type:** Listed Building Consent  
**Target Date:** 29 June 2007

### 1.0 PROPOSAL

1.1 The introductory comments in respect of application ref: 07/00910/FUL also apply to this parallel application for listed building consent.

### 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; Bay Horse 68 Marygate York YO3 7BH 0488

2.2 Policies:

CYHE4  
Listed Buildings

## 3.0 CONSULTATIONS

### 3.1 INTERNAL

DESIGN, CONSERVATION AND SUSTAINABLE DEVELOPMENT - The building is a purpose-built public house designed in 1893-94 by WG Penty. The interior and exterior were designed in an integrated way in the mode of the Arts and Crafts movement. There is a spectacular function room running across the front of the building at first floor level. C20th alterations have eroded the cellular room arrangement in the public rooms of the ground floor, resulting in an uncharacteristic open plan arrangement and the loss of some joinery details. Otherwise the character and quality of the building is still strong.

The applicant has put forward an argument that the building is no longer economically viable as a public house. Reasons given do not fully explore the attempts previous landlords have made to create a "special offer" to attract people to the building to compensate for the locational factors cited. We note that there has been a frequent change of landlords in recent years and that the public house is currently empty save for a security presence.

PPG15 para 3.8 says that in judging a new use its economic viability must be balanced against the effect of any changes that it entails in the special architectural and historic interest of the building. New proposals show a scheme with 4 offices and 4 apartments. The intensity of use is much less than with previous proposals. The building would appear to have the capacity to accept the new uses without compromising the qualities which form its special interest as a historic building. Improvements would be seen in the restoration of the cellular plan form and the removal of the fire stair in the rear yard. There are few new windows and their detailing would copy existing windows. The secondary door close to the NW corner would be removed and blocked in. This corner has experienced structural movement and the removal of the doorway would help to stabilize this area. The interior arrangement has been respected, including retention of the function room as one whole space. The service staircase would be removed and it is regrettable that a new partition would have to be introduced into the ground floor staircase corridor. The latter is necessary to achieve separation of the circulation spines. The approach to detailing of new work requires sensitivity to the existing fabric.

We regret the loss of the original use. The new proposals would provide a future for the building and we consider that they do not adversely affect the special architectural and historic interest of the building. Please condition the following:

- 1) Full details of repairs to front terrace and access route
- 2) A schedule of amendments to doors and door openings should be provided. It should be cross-referenced to plans and accompanied by large scale details. Where doors have been removed they should be reused elsewhere. New architraves should copy existing ones. Original doors should be retained in place
- 3) Full details of fire measures should be submitted

- 4) Full details of acoustic measures should be submitted
- 5) New partitions should be scribed around existing. The commercial lobby partition should not be fixed to the existing staircase.
- 6) Original ironmongery inside and outside should be retained.
- 7) Where elements are being removed making good must be carried out to match surroundings.
- 8) Rainwater goods should be repaired rather than replaced. Details of any proposed replacements should be given
- 9) The render panel specification should be submitted
- 10) Details of cycle storage and waste compound
- 11) Details of increased ventilation provision

## 3.2 EXTERNAL

GUILDHALL PLANNING PANEL - Object on the grounds that access and privacy aspects do not reflect the quality of the building in that accommodating office space compromises quality features.

## 4.0 APPRAISAL

### 4.1 Key Issues

- impact on the special architectural and historic interest of the building.

4.3 The application relates to the conversion of the ground floor of the public house to office accommodation with four apartments on the first floor, extending partially into the roof space. The property is a Grade II listed building. Issues relating to the proposed use of the building are discussed as part of the consideration of the parallel planning application. Central Government advice in relation to listed building control is contained within Planning Policy Guidance Note 15: "Planning and the Historic Environment" (PPG15). This states 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 interest which it possesses".

4.4 Policy E4 of the Approved North Yorkshire Structure Plan states that buildings and areas of special townscape, architectural or historic interest will be afforded the strictest protection. Policy HE4 of the Draft Local Plan relates specifically to listed buildings and states that consent will only be granted for internal and external alterations and changes of use where there is no adverse effect on the character, appearance or setting of the building.

4.5 Internal alterations would consist of the blocking up of existing openings and the insertion of new partition walls, in addition to the insertion of new staircase to provide access to the roof space. Externally, it is proposed to remove an existing fire escape at the side/rear of the building and alter the fire escape door to a window. A secondary door on the side (Hetherton Street) elevation would be removed and blocked in with matching brickwork. It is also proposed to install three small

"conservation" style rooflights. The principle elevations of the building, fronting onto Marygate and Hetherton Street would not be altered by the proposal. Improvements would be seen in the restoration of the cellular plan form and the removal of the fire stair in the rear yard. There are few new windows and their detailing would copy existing windows. The interior arrangement has been respected, including retention of the function room as one whole space.

4.6 Whilst the loss of the existing use is regretted, the new proposals would provide a future for the building and would secure its upkeep. It is not considered that the proposed alterations would adversely affect the special architectural or historic interest of the building. The first floor function room is a special feature and its integrity would be preserved by maintaining it as a single space. There would be few external changes to the building and the principle elevations fronting onto Marygate and Hetherton Street would not be significantly altered by the proposal.

## **5.0 CONCLUSION**

5.1 The proposal is not considered to be harmful to the historic fabric of the building and is thus considered to be acceptable.

## **COMMITTEE TO VISIT**

**6.0 RECOMMENDATION:** Approve

1 TIMEL2

2 VISQ8

3 Prior to the commencement of the development, full details of any repairs to the front terrace and external access to the building shall be submitted for the written approval of the Local Planning Authority. The repairs shall be carried out in complete accordance with the approved details.

Reason: In order to protect the special architectural and historic character of the listed building.

4 Prior to the commencement of the development, a schedule of amendments to doors and door openings shall be provided for the written approval of the Local Planning Authority. The schedule shall be cross referenced to floor plans and accompanied by large scale details.

Reason: In order to protect the special architectural and historic character of the listed building.

INFORMATIVE: Where doors are to be removed provision shall be made for their re-use elsewhere. New architraves shall copy existing details. Original doors shall be retained in situ.

- 5 Details of any necessary measures to reduce sound transmission or improve fire resistance shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the development, and the development shall be carried out in complete accordance with the approved details.

Reason: In order to protect the special architectural and historic character of the listed building.

- 6 New partitions shall be scribed around, and not cut into, existing detailing, and the commercial lobby partition shall not be fixed to the existing staircase.

Reason: In order to protect the special architectural and historic character of the listed building.

- 7 Existing rainwater goods shall be repaired rather than replaced. In the event that replacements are necessary, full details shall be submitted for the prior written approval of the Local planning Authority.

Reason: In order to protect the special architectural and historic character of the listed building.

- 8 VISQ10

- 9 Any elements of original ironmongery both inside and outside the building shall be retained.

Reason: In order to protect the special architectural and historic character of the listed building.

INFORMATIVE: If there is any doubt about which features need to be retained, it is recommended that advice is sought from the Local planning Authority.

## **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 impact on the special architectural and historic interest of the building.

As such the proposal complies with Policy E4 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and Policy HE4 of the City of York Local Plan Deposit Draft.

2. Where elements are being removed making good must be carried out to match the immediate surroundings.

**Contact details:**

**Author:** Simon Glazier Assistant Area Team Leader  
**Tel No:** 01904 551351