

## COMMITTEE REPORT

**Committee:** West/Centre Area                      **Ward:** Guildhall  
**Date:** 16 August 2007                              **Parish:** Guildhall Planning Panel

**Reference:** 07/00306/LBC  
**Application at:** Lendal Tower Museum Street York YO1 7DT  
**For:** Conversion of Lendal Hill House and Whistler House to form three apartments including alterations to Lendal Tower to form 1 no. dwelling, internal and external alterations  
**By:** Mr David Hattersley  
**Application Type:** Listed Building Consent  
**Target Date:** 21 May 2007

### 1.0 PROPOSAL

1.1 Lendal Tower and Lendal Hill House form part of a complex of buildings on the northwest side of Lendal Bridge adjacent to the River Ouse. Lendal Tower is a stone tower dating from the 13th Century and is one of York`s most historic landmark buildings. It was originally circular but a roughly rectangular extension was built in the seventeenth century. The three storey structure is a Grade I listed building and is also a Scheduled Ancient Monument. Lendal Hill House is a two storey building abutting the north east side of the Lendal Tower. It is built of dark red brick with a clay pantile roof and dates from the late eighteenth century, and is a Grade II listed building.

1.2 In May 2005, planning permission and listed building consent were granted separately for the conversion of Lendal Tower to form a single dwelling and for the conversion of Lendal Hill House to form two dwellings. Scheduled Monument Consent has subsequently been granted, by the Department for Culture Media and Sport (DCMS), for the conversion of Lendal Tower to a dwelling. The proposals involved very little alteration to the external appearance of the buildings, with the main alteration consisting of the insertion of three roof lights into the rear roof slopes of Lendal Hill House. The approved works, insofar as they relate to Lendal Hill House, have been carried out, hence the reference to Lendal Hill House and Whistler House in the application. Both Lendal Tower and Lendal Hill House have been vacant since 2000.

1.3 The application now submitted relates to alterations to the approved internal layout of the whole complex of buildings to form a single dwelling within Lendal Tower and three apartments formed within the recently converted Lendal Hill House/Whistler House. The ground floor of the dwelling within Lendal Tower (Unit 1) would be partially extended into Lendal Hill House with the accommodation consisting of entrance lobbies at the front and rear, a kitchen, bathroom and library/living room. The accommodation on the upper floors would be confined to the Tower itself, consisting of a bedroom and en-suite bathroom at first floor, a gallery bedroom formed on a new mezzanine floor and a large dining room/banquet hall on the upper storey.

1.4 Unit 2 of the development would be formed within the remaining ground floor area of Lendal Hill House, consisting of a living room and kitchen/dining room. Two en-suite bedrooms would be formed at first floor level. A self contained one bedroom apartment (Unit 3) would be formed on the remainder of the first floor, with a further two bedroom apartment (Unit 4) at second floor level. The proposed internal alterations would consist of the limited blocking up/formation of openings and the insertion of stud partition walls. The internal layout has been amended to take account of comments made by the Council's Conservation Architect. In particular, it has been possible to retain most of the existing door openings within the new layout. External changes to the appearance of the complex of buildings would be limited to external railings around the garden area, a flag pole and access turret on the Tower roof, and the replacement of concrete paving with Yorkstone flags. Access to the site is from the slip road that descends from the Museum Gardens entrance down to the river. In addition to relating to Grade I and Grade II listed buildings, the site is within the Central Historic Core conservation area and the applications have been appropriately advertised.

1.6 The whole area was inundated by the major floods of autumn 2000, and a Flood Risk Assessment has been submitted with the application detailing comprehensive flood protection measures for the whole site. These are essentially the same as those proposed for the previously approved scheme. The application is also accompanied by a Cultural Heritage Assessment Report, being an updated version of a similar report that accompanied the originally submitted applications. A parallel application for planning permission has also been submitted in respect of the proposals, and a variation to the existing Scheduled Monument Consent has been sought from the Department for Culture, Media and Sport and English Heritage. The application forms part of long term redevelopment proposals for the whole building complex, which includes the former Engine House to the west of Lendal Hill House. Planning permission and listed building consent have recently been granted for the conversion and extension of the Engine House to a restaurant and apartment, including the demolition of the adjacent public toilets. To the north and west of the complex of buildings are Museum Gardens, which are included on the Government's Register of Parks and Gardens of Special Historic Interest.

1.7 The application is brought to Committee at the request of Councillor B. Watson.

## **2.0 POLICY CONTEXT**

2.1 Development Plan Allocation:

Areas of Archaeological Interest City Centre Area 0006

Conservation Area Central Historic Core 0038

Floodzone 2 Flood Zone 2 CONF

Floodzone 3 Flood Zone 3

Listed Buildings Multiple (Spatial)

## 2.2 Policies:

CYHE4  
Listed Buildings

CYHE9  
Scheduled Ancient Monuments

## 3.0 CONSULTATIONS

### 3.1 INTERNAL

ENVIRONMENT, CONSERVATION AND SUSTAINABLE DEVELOPMENT -  
Comments on revised drawings as follows:

The revised submission addresses comments dated 9th May 2007 which were based on the proposals for further subdivision of Lendal Hill House. Proposals for Lendal Tower itself are being assessed separately by English Heritage through the application process for scheduled ancient monuments. The agent's covering letter provides further explanation for the reasons behind the loss of space from the houses in favour of the Tower, and it states the desirability to achieve a range of units with flexibility in the remaining accommodation. Please see below for comment on significant points mentioned previously:

- 1) the spiral staircase would be a foreign intervention within the building. It has arisen to address environment agency requirements within the new flexible organization. Revisions show it relocated away from the window and doors, allowing the doors to be retained and it has been made smaller. The impact of this intervention on the fabric has been minimized, and it would be possible to remove the staircase without having permanently harmed the special interest of the building
- 2) the layout has been simplified so that the through-passage in unit 2 can be retained and the hall of unit 4 will retain its current form. The remaining en-suite bathrooms do not appear to be as disruptive of the circulation pattern and it would be possible to interpret the inherited layout.
- 3) The first floor arched partition and the top floor framing will be retained
- 4) No original doors or doorways would be lost in the revised scheme.
- 5) The remaining fireplace on the first floor is shown as being retained.
- 6) The partition between the first floor front and back rooms of unit 3 has been redesigned and other new partitions removed in favour of retaining existing doors and being able to distinguish between new and existing fabric.
- 7) The dividing walls across the passage/hall on the ground and first floor of the house connecting with the Tower have been redesigned as screens with integral doors. Details have been provided showing how they would be able to operate as a lobby door or as a fixed screen. The screens would be removable and would

decrease the appearance of a permanent sub-division between the entrance hall and the staircase.

The revised scheme appears to allow for the flexibility required by the client whilst maintaining the special architectural and historic interest of the building.

### 3.2 EXTERNAL

GUILDHALL PLANNING PANEL - No objections

ENGLISH HERITAGE - We strongly suggest your Council checks the impact on the interiors of the listed building and that your officers ensure that the impact of the proposals on the interior of the listed buildings is acceptable, both in terms of the historic fabric and also the historic character. We would urge you to address the above issues, and recommend that this application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

Revised drawings: same comments as above

YORK CIVIC TRUST - We feel that the scheme has been well thought out, the interventions kept to a minimum and the Trust is broadly content with the proposals. The use of a mezzanine floor in the round engine room tower is an acceptable solution and makes better use of this space.

Revised drawings: On the whole we feel that the revised drawings are an improvement on the previous scheme and the interventions are more appropriate for the status of these buildings.

ADJACENT OCCUPIERS - No replies or other third party representations have been received.

### 3.3 PUBLICITY

Site Notice posted 11/04/2007 - expires 02/05/2007

Press advert dated 04/04/2007 - expires 25/04/2007

Neighbours notified 29/03/2007 - expires 19/04/2007

## 4.0 APPRAISAL

### 4.1 Key Issues

- impact on the special architectural and historic character of the listed building.

4.2 The application relates to the conversion of Lendal Hill House and Whistler House, which form two separate dwellings, to three self contained apartments. The application also seeks amendments to the original planning and listed building consents in respect of Lendal Tower, a Scheduled Ancient Monument and Grade I listed building, forming a further dwelling within the complex. A separate application for planning permission has also been submitted. The principle of the use of this

complex of buildings for residential purposes has been established by virtue of the previous granting of planning permission and listed building consent, which have been partially implemented.

4.3 Central Government advice in relation to listed building control is contained within Planning Policy Guidance Note 15: "Planning and the Historic Environment". This states that while 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 or historic interest which it possesses". PPG 15 also states that generally the best way of securing the upkeep of historic buildings and areas is to keep them in active use. For the great majority this must mean economically viable uses if they are to survive, and new, and even continuing, uses will often necessitate some degree of adaptation. The range and acceptability of possible uses must therefore be a major consideration when the future of listed buildings or buildings in conservation areas is in question. The guidance also states that many listed buildings can sustain some degree of sensitive alteration or extension to accommodate continuing or new uses.

4.4 Policy E4 of the Approved North Yorkshire Structure Plan states that buildings and areas of special townscape, architectural or historic interest (e.g. listed buildings) will be afforded the strictest protection. Policy HE4 of the City of York Draft Local Plan relates specifically to listed buildings, and states that consent will only be granted for internal and external alterations where there is no adverse effect on the character, appearance or setting of the building. Policy HE9 states that planning permission will not be granted for development which would adversely affect a scheduled ancient monument or its setting.

4.5 The external changes to the group of buildings and its setting are limited to external railings around the garden area, a flag pole and access turret on the tower roof, and the replacement of an area of concrete paving with Yorkstone flags to form a patio. The rooflights that formed part of the previous proposal have been omitted from the present application. It is not considered, therefore, that the proposal would have any significant impact on the historic character or appearance of the listed building.

4.6 The principal change from the previously approved scheme would be the conversion of the two dwellings formed within Lendal Hill House to three apartments (1 x one bedroom, 2 x two bedrooms). A single dwelling would be formed within Lendal Tower, as originally approved, with some reconfiguration of the internal floor space. Two of the apartments within Lendal Hill House would be sub-divided vertically on the ground and first floors, with the third apartment occupying the whole of the second floor. The applicant states that the proposed changes are designed to provide a wider range of accommodation size and type than the previously approved proposal in order to maximise the viability of the scheme and to ensure that the buildings are brought back into long term use. It is not considered that there are any fundamental objections to the proposal, bearing in mind the proximity of the site to Lendal Bridge which carries heavy flows of both vehicular and pedestrian traffic. For this reason, it is considered that the occupation of the units is more likely to be related to the tourist industry (i.e. short term holiday lets) than for permanent living

accommodation or family homes. The Council's Conservation Architect has no objections to the revised proposal, either in principle or detail.

## 5.0 CONCLUSION

5.1 The proposal would result in relatively minor changes to the external appearance of the group of buildings. So far as the internal arrangement is concerned, amendments have been made to the originally submitted application at the request of the Council's Conservation Architect, who raises no objections to the proposal. As such, the proposal is considered to be satisfactory and not in conflict with Central Government advice in Planning Policy Guidance Note 15, Policy E4 of the Approved North Yorkshire Structure Plan or Policies HE4 or HE9 of the Draft Local Plan. The proposals for Lendal Tower are being assessed separately by English Heritage through the application process for scheduled ancient monuments, and as such the application does not need to be referred to Government Office for prior consideration.

## COMMITTEE TO VISIT

### 6.0 RECOMMENDATION: Approve

- 1 TIMEL2 Devt to commence within 3 years
- 2 The development hereby permitted shall be carried out only in accordance with the following plans:-

LEN-H D 02 Rev C - Proposed ground floor plan received 26 June 2007  
LEN-H D 03 Rev C - Proposed first floor plan received 26 June 2007  
LEN-H D 04 Rev C - Proposed second floor plan received 26 June 2007  
LEN-H D 12 Rev A - Proposed roof plan received 26 June 2007  
LEN/H D 06 Rev B - Proposed elevations received 26 June 2007  
LEN-H D 07 - Proposed section  
LEN-H (D) 15 - Specialist joinery works received 26 June 2007  
LEN-H D 08 - Mezzanine detail  
LEN-H (D) 10 - Railing detail  
LENH D 01 - Proposed external works

or any plans or details subsequently agreed in writing by the Local Planning Authority as 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 All new partitions shall be scribed around existing details, and any making good shall match existing details in materials, finishes, colours and textures.

Reason: To protect the special architectural and historic character of the listed building.

4 VISQ10 Details of external services to be approved

**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:

- impact on the special architectural and historic character of the listed building.

As such the proposal complies with Policy E4 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and Policies HE4 and HE9 of the City of York Local Plan Deposit Draft.

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