

COMMITTEE REPORT

Committee: Planning Committee **Ward:** Micklegate
Date: 30 August 2007 **Parish:** Micklegate Planning Panel

Reference: 07/01548/LBC
Application at: Factory Bishopthorpe Road York YO23 1NA
For: Refurbishment and change of use to offices (B1 use)
By: GMT Developments LLP
Application Type: Listed Building Consent
Target Date: 24 August 2007

1.0 PROPOSAL

1.0.1 This is the parallel Listed Building Consent application, which accompanies planning application 07/01547/FUL. This application relates to the conversion and alteration of the former Headquarters Building H1 to form office accommodation (Use Class B1).

1.0.2 The proposals include internal alterations to the layout of the building to create office accommodation on the ground floor and first floor and some minor external alterations. Such works include:-

- (i) Partial stripping out of some modern internal partitions and suspended ceilings and making good and replacement;
- (ii) Provision of loose laid floor coverings for the majority of the proposed area, excluding the terrazzo tiled flooring within the main entrance to the building. The applicants state, this covering can be removed at a later date without any intrusion to the building's existing fabric;
- (iii) The internal décor of the building will be either cleaned or renewed. The existing wooden windows will be cleaned only and not replaced;
- (iv) New light fittings will be provided on the existing circuits to maximise lighting levels within the building;
- (v) Surface fixed conduits will provide power, data and telecom infrastructure for the temporary occupants;
- (vi) The existing fire alarm system will be amended if necessary;
- (vii) New escape doors will enclose the area to be used for temporary office accommodation. A fire escape route will be provided from the offices across the remainder of the H1 building for emergency use only;
- (viii) The applicants propose to convert 1 room, within the temporary office accommodation, for staff facilities;

- (ix) Temporary roof repairs will be undertaken to prevent water ingress; and
- (x) The applicant's propose to use the existing heating system on a reduced 'heating circuit'. However, if this is not possible then alternative methods of heating the building will be sought.

- 1.0.3 The applicant's seek temporary planning permission, for a period of 2 years, to use the front section of H1 as office accommodation. Initially it was envisaged that the temporary accommodation, would be provided to facilitate the future user of L1 (again on a temporary basis until adequate accommodation was provided on-site). However, the applicant's now propose that separate clients will use L1 and H1 respectively.
- 1.0.4 The applicant's seek temporary permission, for a period of 2 years, to use the front section of the building (at ground and first floor) as office accommodation. A change in use from Use Class B2 (General Industrial) to Use Class B1 (Office accommodation).
- 1.0.5 The application states that the employment level is to be between 30-50 employees and that the hours of operation of the building, during its temporary use as an office will between 08:00 and 18:00 hours.

1.1 SITE AND HISTORICAL BACKGROUND

- 1.1.1 The former Headquarters Building lies within the site confines of the Terry's Factory site. The Factory site is situated to the south of the city centre, on the periphery of South Bank. The Factory site is partially located within the Racecourse and Terry's Factory Conservation Area (no.10). The former Headquarters Building (H1) is located within this identified Conservation Area.
- 1.1.2 The Terry's Factory site is bounded by Campleshon Road to the north. Bishopthorpe Road lies adjacent the site to the east. An area used for car-parking by the racecourse during race events lies to the south which is encompassed by Green Belt, which extends to Bishopthorpe. The race course itself and Mickelgate Stray are situated to the west.
- 1.1.3 The Factory site is approximately 10 ha (24.9 acres) in area and comprises of a number of redundant buildings, including 6 Grade II listed buildings and some more modern warehousing. The listed buildings were erected in and around the 1920's/30's. The former Headquarters building is one of these listed buildings and forms an important part of the group value of these listed buildings.
- 1.1.4 The actual area subject of this application is 960 m². The building is sited adjacent to the main entrance of Terry's Factory site adjacent Bishopthorpe Road. The building can be clearly seen from Bishopthorpe Road, being set back approximately 24.00 m from the road. The building

is directly adjacent the former Time Office Building (L1) to the south.¹ To the west side is the former Factory building² (this building is 5 stories in height). To the north is the open site area and the redundant modern warehouses. To the east is a public footpath and then Bishopthorpe Road.

1.1.5 The Historic Buildings Assessment (HBA), which accompanies the Listed Building application, states that the special interest of the building is partially in its value as one of a group with a strong unified style. The interior plan arrangement centred on the open double height space is also of particular interest as are some interior spaces, especially the main foyer, staircase and the board rooms.

1.1.6 The building was purpose built as the Headquarters for Terry's. The building has not been significantly altered throughout its years of use. There are some modern partition walls, which have been used to subdivide a number of rooms. There are also some modern suspended ceilings to some parts of the building.

1.2 REASON FOR REFERRAL TO COMMITTEE

1.2.1 This application is reported to Planning Committee due to officer discretion. This application forms part of the wider proposal/s for the development of Terry's Factory site, which will be presented to Planning Committee in due course.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Conservation Area Racecourse 0035

City Boundary York City Boundary 0001

Listed Buildings Grade 2; Terry's Of York Head Offices Bishopthorpe Road

2.2 Policies:

CYHE2

Development in historic locations

CYHE3

¹ The original application for the conversion of this building to form a hotel (06/02550/LBC) was lodged with the original suite of planning applications in late November 2006. This application has not been determined as negotiations are still ongoing with the applicant. It is considered that the proposals to permanently develop the Headquarters building are more closely interlinked with the overarching outline planning application (06/02560/OUT) which relates to the development of the whole site.

² As footnote 1, an application for Listed Building Consent has been lodged for the conversion of this building also.

Conservation Areas

CYHE4

Listed Buildings

3.0 CONSULTATIONS

3.1 INTERNAL

3.1.1 Design, Conservation and Sustainable Development

3.1.2 The Conservation Architect states, the applicants indicate that the front part of the building would be used for office accommodation. She also comments that plans indicate that the existing main entrance door, foyer and grand staircase would be used as access to the office accommodation. She further comments that new screen doors would be fixed at certain points, to limit the extent of occupation of the building. They would however provide emergency access should it be required. The officer comments that these doors appear to be rudimentary in design and should be removed when the building is converted to a hotel.

3.1.3 The officer additionally comments, that drawings, submitted by the applicants, indicate that a number of partition walls are to be removed and suspended ceilings are to be replaced. She mentions that the photographic survey, submitted by the applicants, indicate that there are 3 types of partitions. These are:-

- (a) Full height partitions divided into rectangular panels by substantial framing at dado and doorhead height. The top 2 panels contain multi-pane glazing;
- (b) An adaptation of an earlier panel system, which has been divided into 2 parts; and
- (c) A solid vertical panel system with aluminium cover strips.

3.1.4 The Conservation Architect states that, the first type of partitioning system, type (a), appears to have been used throughout the factory complex. It was installed prior to the introduction of suspended ceilings. She further mentions, that the partition arrangement appears to be a functional adaption and is of no particular architectural significance. The list description states that, type (a) partitions are not original to the building. The Conservation Architect continues by commenting that, examples of this type of partition exist elsewhere in the building and therefore, there is no objection, in terms of conservation, to them being taken out. Finally the officer comments, that the removal of these partitions, which subdivide rooms with decorative plaster ceilings, would be a benefit to the listed building.

3.1.5 With regard to the introduction of services, the Council's Conservation Architect comments that, the scope of works has been designed to avoid damage to existing interiors. The officer recognises that original radiators

and fan convector units are proposed to be reused. Although the boiler and pipe work would need to be renewed. However the new boiler flue would be routed through the roof to avoid damage to the external elevations.

- 3.1.6 The officer, identifies that additional new surface mounted trunking is envisaged by client. Although the officer comments that, the applicants state that the use of wireless systems will be investigated. As no firm details have been submitted, the officer advises that details should be submitted and approved in writing by the planning department prior to development commencing.
- 3.1.7 The Conservation Architect also comments that the design of the access ramp appears heavy in appearance. In particular, the balustrade is constructed from timber with horizontal rails. The Conservation Architect advises that a more suitable design should be sought, which would not have such a detrimental impact upon the external appearance and setting of the listed building.
- 3.1.8 Penultimately, the Conservation Architect comments that the applicants have given assurances, that they will make every effort to limit the number of changes required, to prepare the building for temporary re-use.
- 3.1.9 Finally the officer recommends conditions relating to alterations to the building and further details required regarding additional details of the scheme. The Council's Conservation Architect concludes by stating, in general, the application is acceptable, subject to the imposition of relevant conditions.

3.2 EXTERNAL

- 3.2.1 Bishopthorpe Parish Council raised no objections to this proposal.
- 3.2.2 Mickelgate Planning Panel raised comments applicable to the planning application. Their comments have been addressed in the parallel planning application (07/01547/FUL).
- 3.2.3 Neighbours: 2 site notices were displayed on, at the main entrance to the site, to advertise the Listed Building application and the planning application. No comments have been received from any other interested party or neighbours.

4.0 APPRAISAL

4.1 KEY ISSUE

- Effect on character and appearance of the (listed) building.

4.2 PLANNING POLICY

- 4.2.1 PPS1: Planning for Sustainable Development aims to protect the quality of the natural and historic environment. 'The Planning System: General Principles', the companion document to PPS1, advises of the importance of amenity as an issue.
- 4.2.2 PPG 15: Planning and the Historic Environment. Central Government advice in relation to listed building control contained within this document states in paragraph 3.3 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 or historic interest which it possesses" (Section 16 of the "Planning (Listed Buildings and Conservation Areas) Act 1990"). This reflects the great importance to society of protecting listed buildings from unnecessary demolition and from unsuitable and insensitive alteration and should be the prime consideration for authorities in determining an application for consent.
- 4.2.3 PPG15 recognises that generally the best way of securing the upkeep of historic buildings and areas is to keep them in active use (para 3.8), and that many listed buildings can sustain some degree of sensitive alteration or extension to accommodate new or continuing uses (para 3.13). Paragraph 3.15 states that achieving a proper balance between the special interest of a listed building and proposals for alterations and extensions is demanding and should always be based on specialist expertise, and often demands a flexible and imaginative approach by all the parties involved.
- 4.2.4 The importance of listed buildings is reflected in Policy E4 of the Approved North Yorkshire Structure Plan, which 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 for development in the immediate vicinity of listed buildings, demolition, internal and external alteration, and changes of use will only be granted where there is no adverse effect on the character, appearance or setting of the building.
- 4.2.5 POLICY E4 OF THE APPROVED NORTH YORKSHIRE STRUCTURE PLAN (the statutory development plan for the area) states that buildings and areas of special townscape, architectural or historic interest (e.g. conservation areas, listed buildings) will be afforded the strictest protection.
- 4.2.6 DRAFT LOCAL PLAN POLICY HE2 of the City of York Deposit Draft Local Plan (Fourth Set of Changes), approved for development control purposes on 13 April 2005 states that within or adjoining conservation areas, and in locations which affect the setting of listed buildings, development proposals must respect adjacent buildings, open spaces,

landmarks and settings and have regard to local scale, proportion, detail and materials.

4.2.7 DRAFT LOCAL PLAN POLICY HE3 seeks to protect the character and appearance of Conservation Areas. The policy states that proposals for development in conservation areas should reflect street proportions, which are given to floor heights, door and window sizes and disposition. Supporting text of the policy further states that the elevational treatment of all sides of any development and roofscape are important, not simply the street frontage.

4.2.8 DRAFT LOCAL PLAN POLICY HE4 states that consent will only be granted for development to a listed buildings where there is no adverse effect on the character and setting of the building. Supporting text of this policy further states that, it is important that extensions preserve and enhance the special architectural or historic character of conservation areas and complement the character of listed buildings. Alterations will be expected to be of an appropriate design, using traditional natural materials. The proposal should also be in scale with the original building and respect its character.

4.2.9 TERRY'S DEVELOPMENT BRIEF

4.2.10 The Development Brief identifies that it is important to respect and reflect the historic importance of Terry's Factory site. Also buildings should be legible, i.e. the purpose of the building should be easily understood.

4.2.11 The Brief was subject to public consultation and has been approved by Members. The Brief is being used as guidance in negotiating with developers and progressing planning and listed building / conservation area consent applications on the site.

4.2.12 THE RACECOURSE AND TERRY'S FACTORY CONSERVATION AREA CHARACTER APPRAISAL

4.2.13 Part of the Terry's site is located within the Racecourse and Terry's Factory Conservation Area. A character appraisal has been produced in order to properly consider the character of the conservation area and development proposals which may affect it.

4.3 EFFECT ON CHARACTER AND APPEARANCE OF THE EXISTING (LISTED) BUILDING.

4.3.1 The principle of changing the use of the building to general office accommodation (B1) has been considered in the parallel planning application (07/01547/FUL). This report seeks to examine the impact of the proposals upon the listed building. This element of the scheme has been developed in conjunction with advice from the Council's Conservation Officer and the author of this report.

- 4.3.2 Policy HE4 of the draft local plan states that development should not have an adverse effect upon the character, appearance or setting listed buildings. Policies HE2 and HE3 further support this policy.
- 4.3.3 With regards to all other internal and external alterations to the building, it is considered that subject to the imposition of suitable conditions, the proposals are acceptable.
- 4.3.5 The Council's Conservation Officer, considers the proposed works can be carried out in such a manner, as to not have a detrimental impact upon the listed building. She also considers that the proposed scheme would have a neutral impact upon the conservation area due to there being only minor external alterations to the building (temporary ramp, LPG tank and flue). The form of the proposed scheme (subject to conditions) does not detrimentally impact upon the existing building. As a consequence the proposal is considered acceptable and satisfies policies HE2, HE3 and HE4 of the Local Plan and also satisfies the Terry's Development Brief. The applicants have also indicated that they intend to restore and enhance (where possible) the original features in the building.

5.0 CONCLUSION

- 5.0.1 It is considered that the proposals continue the legacy of employment uses on the site. The aforementioned proposals are considered justified and they would not appear to adversely affect the special historic and architectural interest of this listed building or the character and appearance of the Conservation Area.
- 5.0.2 The proposed conversion and the former Headquarters Building to temporary B1 office accommodation, is considered to be acceptable and satisfies policies E4, of the Approved North Yorkshire Structure Plan, Policies HE2, HE3, and HE4 of the Draft Local Plan and National Planning Guidance PPS1 and PPG15.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TEMP2

2 PLANS2 Apprvd plans and other submitted details

3 Prior to the commencement of works hereby approved large scale drawings should be submitted showing details of proposed window blinds and their fixing to the listed building. Drawings should be annotated and accompanied by a method statement. The statement should describe the process of recording

the existing situation (close range photos and measured drawings), the extent of removals (if any), the process for removal and eventual reinstatement of the elements including making good. The works shall then be carried out in their entirety to the satisfaction of the Local Planning Department.

Reason: To retain the character of the listed Building.

4 Prior to the commencement of works hereby approved, written details of all new servicing and servicing trunking should be submitted to and approved in writing by the Local Planning Authority. These submitted details should be supported by information/details showing how service runs and fittings would be integrated with the existing interior with the minimum of intervention. The works should then be carried out in accordance with the written approved details by the Council and thereafter retained.

Reason: To retain the character of the listed Building.

5 Notwithstanding the hereby approved details, the proposed design of the temporary ramp is unacceptable. Prior to development commencing, an amended design of the proposed ramp should be submitted to and approved in writing by the Local Planning Authority. The ramp should then be constructed in its entirety, in accordance with the approved amended details prior to the use first coming into operation and shall be retained for the duration of the temporary permission hereby granted, to the satisfaction of the Local Planning Authority.

Reason: The submitted design of the temporary ramp is inappropriate and has a detrimental impact upon the setting of the listed building and the Terry's Conservation Area.

6 Prior to the development commencing, a 1:200 site plan should be submitted to and approved in writing by the Local Planning Department. The site plan should indicate any new development, which is associated with the partial temporary change of use of the former Headquarters Building.

Reason: In order to protect the setting of the listed building and protect the character of the Terry's Conservation Area.

7 Prior to the occupation of the property for temporary use, written details should be submitted to and approved in writing by the Local Planning Authority, of the proposed LPG tank and associated screening. The LPG tank and screening should then be implemented in its entirety, in accordance with the plans and shall thereafter be so retained for the duration of the temporary permission hereby granted, to the satisfaction of the Local Planning Authority.

Reason: In order to protect the setting of the listed building and protect the character of the Terry's Conservation Area.

8 Prior to the occupation of the building for temporary office use, written details should be submitted to and approved in writing by the Local Planning Authority, of the proposed wireless IT system and any other associated

development. Details of the locations of antennae and fused unit connections should be indicated. This development should then be implemented in its entirety, in accordance with the written approved plans and shall thereafter be so retained for the duration of the temporary permission hereby granted, to the satisfaction of the Local Planning Authority.

Reason: In order to protect the fabric of the listed building.

9 Prior to the first occupation of the building for partial temporary office use, written details should be submitted to and approved in writing by the Local Planning Authority, of the proposed suspended ceilings and associated fixings. The suspended ceiling and associated fixings should then be implemented in their entirety, in accordance with the plans and shall thereafter be so retained for the duration of the temporary permission hereby granted, to the satisfaction of the Local Planning Authority.

Reason: In order to protect the fabric of the listed building.

10 Prior to the first occupation of the building for partial temporary office use, written details shall be submitted to and approved in writing by the Local Planning Authority, of any additional works that are required to update or amend the fire alarm and any form of security system. Should such alterations be required the details should then be implemented in their entirety, in accordance with the approved plans and shall thereafter be so retained for the duration of the temporary permission hereby granted, to the satisfaction of the Local Planning Authority.

Reason: In order to protect the fabric of the listed building.

11 Prior to the first occupation of the building for partial temporary office use, written details shall be submitted to and approved in writing by the Local Planning Authority, of any additional works that are required to convert a room for staff room facilities. Should such alterations be required the details should then be implemented in their entirety, in accordance with the approved plans and shall thereafter be so retained for the duration of the temporary permission hereby granted, to the satisfaction of the Local Planning Authority.

Reason: In order to protect the fabric of the listed building.

12 Prior to the first occupation of the building for partial temporary office use, written details shall be submitted to and approved in writing by the Local Planning Authority, of any works that are required to repair the roof of the building. Should such alterations be required the details should then be implemented in their entirety, in accordance with the approved plans and shall thereafter be so retained for the duration of the temporary permission hereby granted, to the satisfaction of the Local Planning Authority.

Reason: In order to protect the fabric of the listed building.

13 Prior to the first occupation of the building for partial temporary office use,

written details shall be submitted to and approved in writing by the Local Planning Authority, of any works that are required to upgrade the internal lighting of the temporary office accommodation. Should such alterations be required the details should then be implemented in their entirety, in accordance with the approved plans and shall thereafter be so retained for the duration of the temporary permission hereby granted, to the satisfaction of the Local Planning Authority.

Reason: In order to protect the fabric of the listed building.

14 Prior to development commencing, further written details shall be submitted to and approved in writing by the Local Planning Authority, of any works that are required to upgrade the internal heating system which have not already been indicated, in particular the flue required to vent the boiler . Should additional alterations be required the details should then be implemented in their entirety, in accordance with the approved plans and shall thereafter be so retained for the duration of the temporary permission hereby granted, to the satisfaction of the Local Planning Authority.

Reason: In order to protect the fabric of the listed building.

7.0 INFORMATIVES:

1 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 Former Headquarters Building which is a listed building and the Racecourse and Terry's Conservation Area and the adjacent listed buildings. As such this proposal complies with policy E4 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and policies HE3 and HE4 of the City of York Local Plan Deposit Draft also PPS1.

2 All new corridor screens and doors should be carefully removed and the walls made good after the temporary use has terminated. Care should be taken not to damage the fabric of the listed building during the fixing or removal of these elements.

3 New carpets should not be stuck to existing floor finishes. I would advise you to contact Janine Riley on 01904 - 551305 if you wish to discuss an appropriate method of fixing carpeting.

4 Making good should be of a high standard and should match the surrounding surfaces and details.

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