

COMMITTEE REPORT

Date: 9 July 2015 **Ward:** Dringhouses and Woodthorpe
Team: Major and Commercial Team **Parish:** Dringhouses/Woodthorpe Planning Panel

Reference: 14/02422/LBC
Application at: Omnicom Engineering 292 Tadcaster Road York YO24 1ET
For: Two storey side and rear extensions, single storey rear extension and detached annexe to rear, new rooflights to rear and internal alterations

By: Mr & Mrs Forsyth
Application Type: Listed Building Consent
Target Date: 15 June 2015
Recommendation: Refuse

1.0 PROPOSAL

1.1 The application seeks listed building consent for the erection of a replacement two storey rear extension, single storey rear orangery, two storey side extension and various internal and external alterations.

1.2 The application should be read in connection with 14/02421/FUL.

1.3 The application has been brought to committee by Cllr Reid who believes that the benefits of restoring this listed building to a family home should be considered and a decision needs to be made before this prominent building begins to deteriorate.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Conservation Area GMS Constraints: Tadcaster Road CONF
Listed Buildings: Grade 2; 292 Tadcaster Road York YO2 2ET

2.2 Policies:

CYHE4 Listed Buildings

3.0 CONSULTATIONS

INTERNAL

Design, Conservation and Sustainable Development

3.1 Details in connection with the proposed dormers to the front elevation, two storey rear extension and proposed orangery are all considered acceptable. Revised plans now indicate the retention of the secondary staircase and the circulation space to the rear of the house. No objections are raised to the proposed internal alterations.

3.2 Concerns are still raised in connection with the proposed roof lights to the rear elevation which are considered to be intrusive and for which no justification has been put forward.

3.3 Concerns are raised in connection with the proposed two storey side extension. The extension does not preserve the character of the building as one of special architectural or historic interest. The addition of the second floor loses an original window, presents a blank obstruction which detracts from the architectural design of the elevation, and crucially, reduces the impression of separation between the house and its immediate neighbour to the north. The roof continues to appear contrived and at odds with the form of the host building.

EXTERNAL

Dringhouses and Woodthorpe Planning Panel

3.4 Do not object but wish to comment on the two storey side extension. The detailed design of the proposed roof form, upper floor window and undefined brick work does not match the front elevation of the main body of the building. The upper floor further unbalances the symmetrical appearance of the front elevation.

Neighbours Notification/Publicity

3.5 One response in support of the application to return the listed building to its original use. Support the repairs to the building, the removal of the unsympathetic additions, the return of the car park to gardens and the extensions.

Historic England

3.6 The Grade II listed former mansion has aesthetic value for its symmetrical elevation of brick with carved stone details and decorative ironwork. Historic England welcomes in principle the return of the former house to residential use, its refurbishment and the re-creation of a garden setting to the front and rear. Welcome the removal of the various disfiguring additions and their replacement with extensions of more appropriate design using higher quality materials, in particular the removal of the disfiguring external fire escape staircase. We consider that this proposal will not only sustain this heritage asset but also enhance it by removing

and repairing disfiguring alterations both internally and externally, made during its office use. The proposal will therefore meet the requirements of Paragraph 131 of the National Planning Policy Framework.

4.0 APPRAISAL

4.1 Key Issue

- Impact on special architectural or historic interest of the Listed Building

4.2 The National Planning Policy Framework (NPPF) Chapter 12, Paragraph 132 states that considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed by or lost through alteration or destruction of the heritage asset or development within its setting.

4.3 The NPPF, Chapter 12, Paragraph 134 states that where a development proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

4.4 Section 16(2) of the Planning (Listed Building and Conservation Area) Act 1990 states that Local Planning Authorities 'shall 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.'

4.5 The York Development Control draft Local Plan was approved for development control purposes in April 2005. Its policies are material considerations in the determination of planning applications although it is considered that their weight is limited except when they are in accordance with the NPPF.

4.6 Development Control Local Plan Policy HE4 states that with regard to listed buildings, consent will only be granted for internal or external alterations where there is no adverse effect on the character, appearance or setting of the building.

ASSESSMENT

4.7 The general duty with respect to considering whether to grant listed building consent is contained in Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990. This states that in considering whether to grant listed building consent for any works, the local planning authority shall 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.

SITE

4.8 The application site is a Grade II listed detached villa style building with a symmetrical frontage constructed in the mid 19th Century. The property has until recently been used as offices but retains a high level of the original internal and external fabric. It is the grandest of a row of houses constructed after 1850, with its own stable block and later coach house and grooms quarters, all of which are now located outside of the site curtilage. A two storey rear and a single storey rear extension have been added and two small flat roof structures are present within the grounds.

SCHEME

4.9 The application seeks consent for various internal alterations and extensions. With regard to the replacement two storey rear extension, the replacement dormer windows and the alterations to the front car parking area it is considered that there would be no harm to the listed building or its setting as a result of the proposed works.

4.10 It is considered that there would be limited harm to the building's significance as a result of the proposed orangery. Due to the location of the orangery it would create a small courtyard between itself and the rear elevation of the host dwelling which would result in the loss of the connection between the property and the large mature garden. However, it is considered that the orangery would be the type of structure which may be expected within a house of this scale and status. In addition due to its design the orangery it would be seen as a light weight structure allowing views from the host building into the mature gardens behind and as such it is considered that it would preserve the building and its setting in accordance with Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

4.11 In connection with the proposed roof lights it is considered that there would be less than substantial harm to the buildings significance as a result of the proposed works. Concerns have been raised that they would draw undue attention to the rear roof slope and appear squeezed in. It is considered that in order to utilise the roof space for additional living accommodation the roof lights are necessary. The property is to be reverted to its original intended use as a single residential property and brought back into use after lying vacant and the works are considered necessary to facilitate this reuse. It is considered that the public benefits of the proposal outweigh the harm.

TWO STOREY SIDE EXTENSION

4.12 Concerns are raised in connection with the proposed two storey side extension. Whilst the extension would be set back from the front elevation and be inset slightly from the boundary it is considered to harm the appearance of the listed building. Notwithstanding the design of the extension it would infill the gap between the host

dwelling and number 290 Tadcaster Road, which has been extended up to the shared boundary. The space around the building was intentional. It was not to allow views through the site to the back garden, but in connection with reflecting the status of the occupants for who the house would have been constructed to attract. It also provided a spacious setting for the building, expressing its status. For the same reason, the 'gap' is an important component of the setting of the building. The construction of the extension would result in the loss of the separation between these properties eroding this aspect of the building's historic character and the original symmetrical appearance.

4.13 The design of the proposed extension is also considered unacceptable. The almost flat roof draws undue attention and creates a cramped appearance under the generous eaves of the host dwelling. The scheme presents a blank brick elevation towards 290 Tadcaster Road which is clearly visible from the north of the site and detracts from the architectural design of the elevation. An existing window opening would be lost to the side elevation of the host dwelling in order to gain access to the proposed first floor bathroom. The loss of this opening is considered unacceptable and its replacement with a characterless brick wall is considered to harm the appearance of the listed building.

4.14 It has been contended that the removal of the fire escape and the existing single storey side extension would benefit the setting of the listed building and remove unsightly additions. The removal of the fire escape is welcomed. However, on balance, officers consider that whilst the fire escape would be removed it does not justify its replacement with a more permanent structure which further detracts from the setting and character of the listed building. The fire escape still allows views through to the side elevation of the listed building where the proposed side extension would present a more permanent solid structure.

4.15 The purpose of the extension is to provide an ensuite facility for the proposed back bedroom and for the front master suite. The front suite comprises of a shower room to the southern side of the first floor, a master bedroom, central office, large dressing room, a bathroom (formed within the main body of the building) and the proposed enlargement of the bathroom into the front section of the extension. The rear bedroom would be served by an ensuite to be located within the rear portion of the proposed extension.

4.16 It is considered that it would be possible to reconfigure the internal layout of the first floor to provide an ensuite bathroom for the rear bedroom without the need to erect the side extension. The formation of partition walls are already proposed as part of the scheme, as is the loss of the side window. A bathroom could be created which would retain the window. It is considered that there is no justification that may outweigh the identified harm to the listed building which would result from allowing the two storey extension.

5.0 CONCLUSION

5.1 Under s.16 (2) of the Act the local planning authority shall 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. The works to facilitate the change of use of the building back to residential are broadly welcomed and the majority of the proposed works would not result in harm to the special interest of the building or, where limited harm has been identified this is considered to be outweighed by the benefits of the scheme. However the two storey side extension would have a harmful impact upon the special architectural or historic interest of the listed building which is not considered to be adequately justified in terms of the preservation of the building contrary to paragraph 132 of the National Planning Policy Framework and policy H4 of the draft Development Control Local Plan.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Refuse

- 1 It is considered that the proposed two storey side extension would result in the loss of an original window and would present a blank elevation which detracts from the architectural design of this elevation and the listed building as a whole. Furthermore, the extension would result in the unacceptable loss of the open space between the application site and the neighbouring property at 290 Tadcaster Road which in turn would have a harmful impact upon the setting of the listed building. The proposal would therefore harm the significance of the listed building and would fail to preserve the character of the building as one of special architectural or historic interest. There is inadequate justification for this harm and there are no discernible public benefits from the implemented works. As such the proposal would conflict with paragraphs 129, 131, 132 and 134 of the National Planning Policy Framework, Policy HE4 of the City of York Development Control Local Plan (2005) and Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Contact details:

Author: Heather Fairy Development Management Officer

Tel No: 01904 552217