

**Case No.** 16/03848/LB

**Item No.03**

**Location:** 5 Park Street, Ripon HG4 2AX

**Proposal:** Listed building application for conversion of existing dwelling into 3 flats.

**Applicant:** Mr I Pringle

#### **SUMMARY**

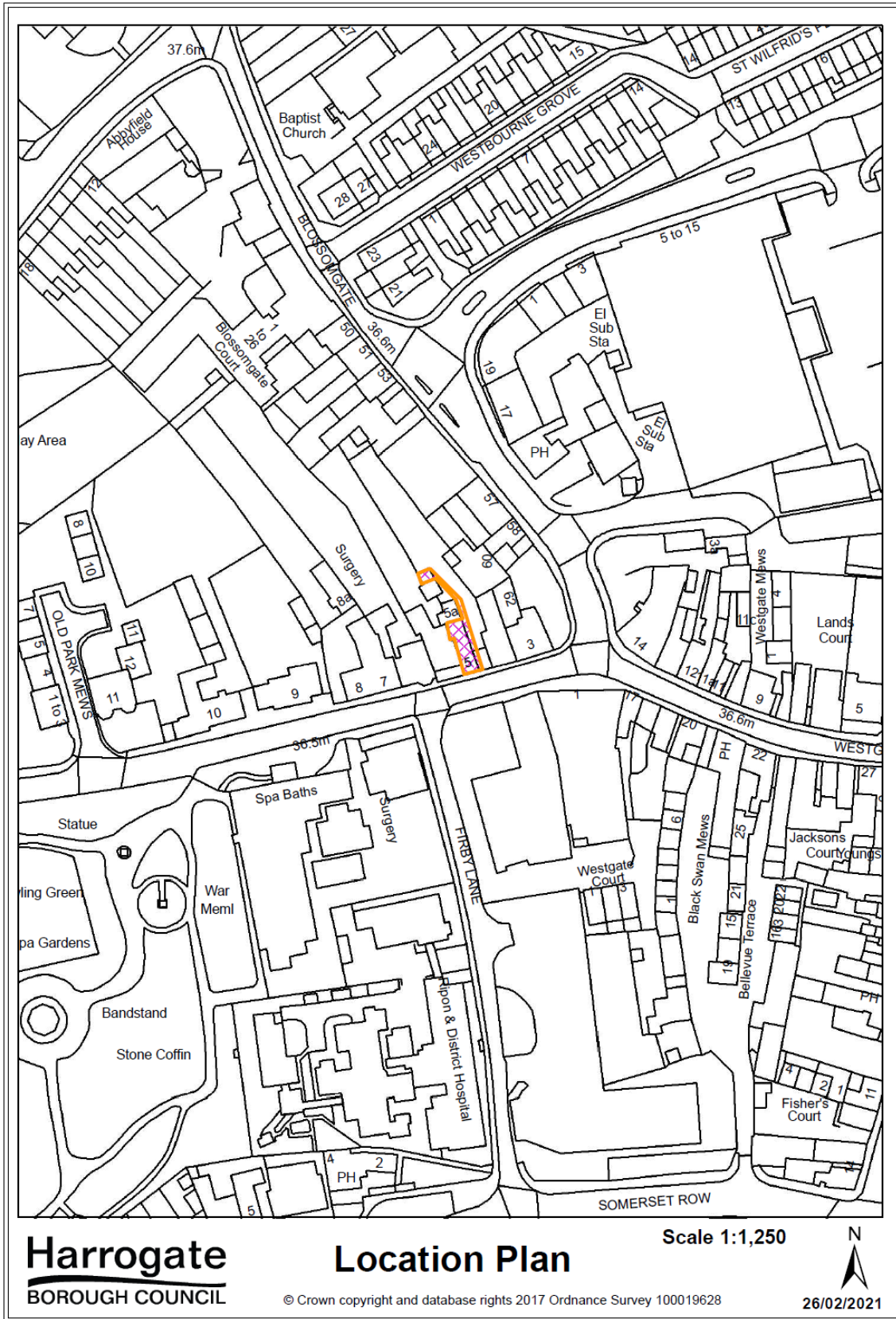
**No 5 Park Street is a 3-storey terraced house in the centre of Ripon, close to the City Baths. The building is a Grade II listed building within the Ripon Conservation Area.**

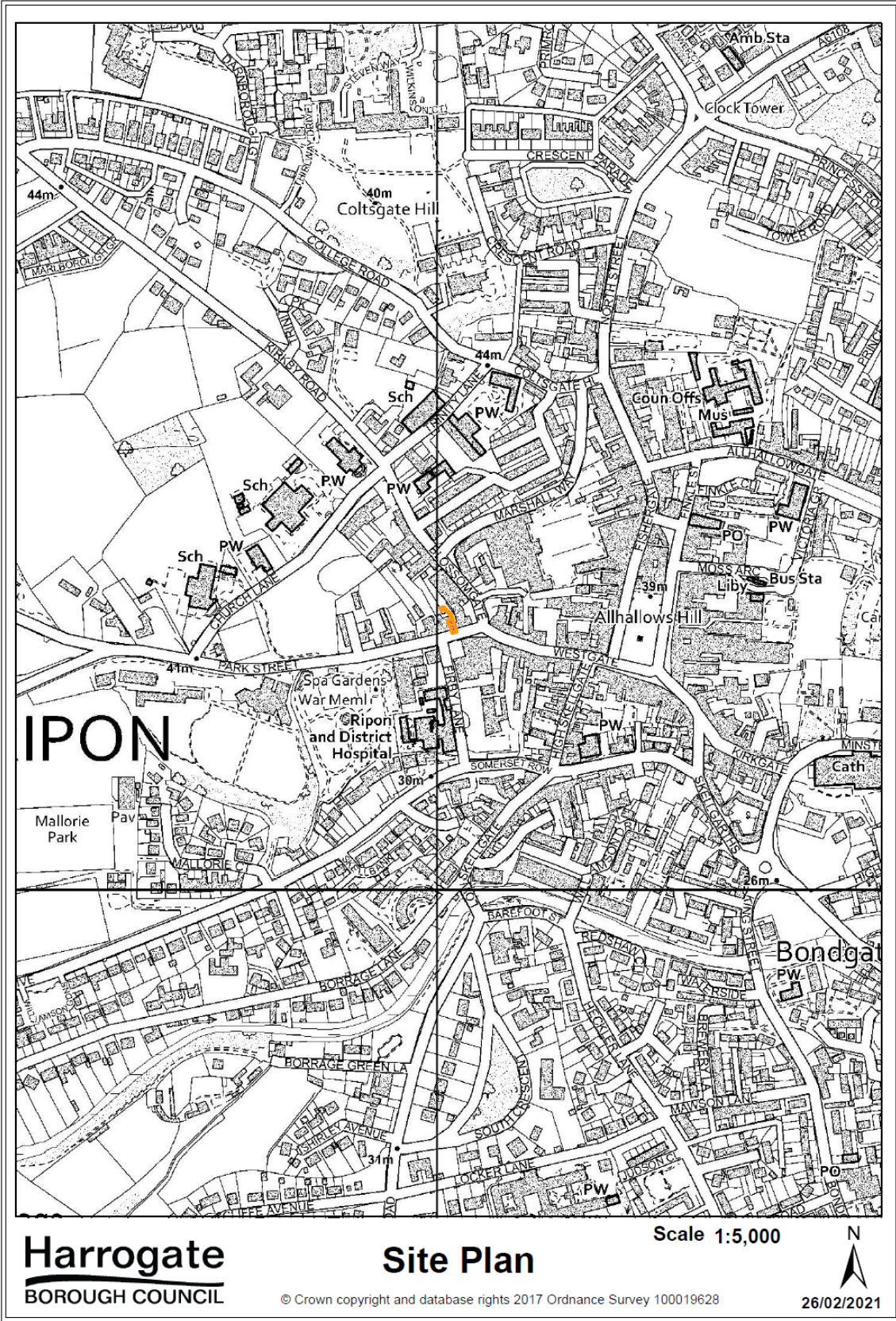
**It is proposed to convert the single dwelling into 3 flats, one on each floor. The proposed scheme of conversion would involve the loss of the original staircase. Whilst the design of the proposed development has been through various iterations following discussions with the Conservation Officer, the applicant has requested that the application be considered on the basis of the original plans. The consultation comments included in the Appendix therefore relate to the plans originally submitted by the applicant.**

**It is considered that the proposed development would cause substantial harm to this designated heritage asset, contrary to Local Plan Policy HP2 and advice in the NPPF.**

**An application for planning permission (Ref 16/03847/FUL) is considered elsewhere on the agenda.**

**RECOMMENDATION: Refuse**





## **1.0 PRELIMINARY MATTERS**

1.1 Access to the case file on Public Access can be found here:- [view file](#)

1.2 This application has been referred to the Planning Committee by Cllr Chambers.

## **2.0 MAIN ISSUES**

2.1 The main issues are:

- Policy
- Impact on the Heritage Asset

## **3.0 ASSESSMENT**

### **3.1 BACKGROUND**

3.2 Together with No. 4, No. 5 Park Street is a Grade II listed building.

3.3 The listing description reads:

*Early or mid C19. Stucco. Hipped slate roof. Three storeys. Four bays: cased flush-framed sashes with glazing bars. One mid C19 central first floor oriel. One early or mid C19 segmental first floor oriel with reeded pilasters either side. Door with 6 fielded panels and semi-circular fanlight with glazing bars in reveals, flanked by reeded pilasters and tall fluted consoles to moulded cornice. Carriage entrance with depressed arched head.*

3.4 The building has been occupied as a single dwelling, but has been vacant for some years. A side access off the former carriage entrance leads into an entrance hall in the centre of the building. The central staircase, an original feature, leads from the entrance hall up to the upper two floors.

3.5 It is proposed to sub-divide the building horizontally to provide 3 flats, one on each floor. The ground and first floor flats would have one bedroom each, with a 2-bedroomed flat on the second floor.

- 3.6 The scheme of conversion would involve the erection of internal stud walls to provide shower rooms, and the replastering of internal walls. Neither of these works, or the other minor works involved, are considered to harm the historical interest of the listed building.
- 3.7 The proposed scheme of conversion would also involve the removal of the original staircase and the erection of a reconfigured staircase.
- 3.8 The staircase wraps around a rectangular well and extends up from the entrance hall to the second floor. It has a ramped and moulded handrail and two square-section balusters per tread, all in timber. The Georgian Group estimate it to date from the 1820/30s. It is an original feature which shows no signs of significant later alteration.
- 3.9 The application is accompanied by a Heritage Design and Access Statement.

### **3.10 POLICY**

- 3.11 In determining such applications the local planning authority should be mindful of the statutory duty of Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.
- 3.12 Local Plan Policy HP2 (Heritage Assets) states that developments that would affect heritage assets (designated and non-designated) will be determined in accordance with national planning policy. Harm to elements which contribute to the significance of a designated heritage asset will be permitted only where this is clearly justified and outweighed by the public benefits of the proposal. Substantial harm or total loss to the significance of such assets will be permitted only in exceptional circumstances.
- 3.13 Para 190 of the NPPF advises local planning authorities to identify and assess the particular significance of any heritage asset when considering the impact of a proposal on a heritage asset.
- 3.14 The NPPF goes on to state that great weight should be given to the heritage asset's conservation when considering the impact of changes on the

significance of a designated heritage asset (para 193). Any harm to, or loss of, the significance of a designated heritage asset should require a 'clear and convincing justification'.

3.15 Para 195 of the NPPF states that, where a proposed development would lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

a) the nature of the heritage asset prevents all reasonable uses of the site; and

b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and

c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and

d) the harm or loss is outweighed by the benefit of bringing the site back into use.

### 3.16 **IMPACT ON HERITAGE ASSET**

3.17 Together with its neighbour at No. 4, No. 5 Park Street is a Grade II listed building. While the listing description (4.3) makes no comment on the interior of the building, this is most likely because an internal assessment was not possible at the time of listing. Therefore the fact that the staircase is not mentioned in the listing does not diminish its historic significance.

3.18 It is considered that the removal of the original staircase will cause substantial harm to the designated heritage asset. The staircase is a key element of the building and integral to its significance. The stair can aid dating a building and reflects the architectural fashions of its time. Removal of the staircase would result in the loss of this evidence and is likely to undermine the building's listed status. Furthermore the removal of the stairs necessitates alterations to

the plan form of the building which is likely to further impact on the significance of the asset.

3.19 In summary, it is considered that the proposed development would cause substantial harm to this designated heritage asset. It has not been demonstrated that this substantial harm is necessary to achieve substantial public benefits that outweigh that harm or loss, in accordance with para 195 of the NPPF. Neither have any of the four criteria mentioned in para 195 been met.

3.20 Accordingly it is recommended that listed building consent be refused.

#### **4.0 RECOMMENDATION**

4.1 That the application be REFUSED for the following reason.

4.2 By removing the original staircase, the proposed development would cause substantial harm to this designated heritage asset, a Grade II listed building, contrary to Local Plan Policy HP2. There are no substantial public benefits which would outweigh this harm and the proposed development fails this, and the other tests set out in paragraph 195 of the NPPF.

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***In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Chief Planner has delegated authority to do so in consultation with the Chairman of the Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.***

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## **APPENDICES**

### **8.0 CONSULTATIONS**

#### **8.1 Views of City Council**

Does not object to or support the application but wishes to make the following comment.

The Council is concerned about the lack of parking provision at the site.

## **8.2 Historic England**

5 Park Street, Ripon is a Grade II listed early-mid C19 substantial house with a later rear extension. It forms part of the best group of Georgian or Regency houses in the city. The proposal would in our view cause substantial harm to the significance of the Grade II listed building. We do not consider that the justification provided is 'clear and convincing' as required by para 193 of the NPPF. We therefore object to the application and advise that a less harmful level of subdivision that retains the principal staircase should be pursued and if not, appropriate market testing.

### **Significance of the listed building**

5 Park Street is a Grade II listed building that dates from the early C19. It is a domestic property of some status and this is expressed in the stucco façade with first floor oriel window and the impressive staircase that forms the heart of the building. Staircases are often the most important feature of a listed building. In this case the timber open-stringed staircase is a critical feature that fills the core of the building.

### **Impact on the significance of the listed building**

The proposal to convert the building into three flats, splitting the building horizontally, removing the staircase and introducing acoustic separation at all floors will cause harm to the heritage significance of the Grade II listed building. The Georgian Group in their response have explained the contribution that the staircase makes to the significance of the listed building. The removal of the original principal staircase would in our view cause substantial harm to the significance of the listed building.

### **Policy considerations relevant to this application**

We are not convinced that the conclusion in the Heritage Statement that the choice is between losing the staircase and losing the building. We question whether



consideration has been given to the possibility of vertically subdividing the building to form two separate houses.

Great weight should be given to the heritage asset's conservation when considering the impact of changes on the significance of a designated heritage asset (para 193) no other consideration is given greater weight in the planning system. Any harm to, or loss of, the significance of a designated heritage asset should require a 'clear and convincing justification'. We are not convinced that the justification is clear and convincing and that there are not less harmful options to secure the future of this building.

### **Recommendation**

Historic England objects to the application on heritage grounds.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If, notwithstanding our advice, you propose to determine the application in its current form, please inform us of the date of the committee and send us a copy of your report at the earliest opportunity.

*If your authority is minded to grant consent for the application in its current form, please treat this letter as an objection and notify the Secretary of State of this application, in accordance with the above Direction.*

### **8.3 The Georgian Group**

The dating of staircases is not an exact science as architectural fashions in small towns tended to lag behind those of the major cities. Stairs of this design however, were most commonly constructed during the first thirty years of the nineteenth century. This stair is comparable to ones found in many middleclass townhouses of the early nineteenth century in London, Liverpool, Newcastle and elsewhere. From the photographs provided we would suggest that it probably dates from the 1820s or 1830s and that there are no obvious signs of significant later alteration.

Experience has shown the Group that the loss of an original principal staircase is one of the most common reasons for houses of this type to be delisted. Whilst Historic England's latest listing guide does not say this explicitly, it does say the

following ‘Internally, the loss of major elements such as the staircase, or the room plan of the principal floors, or the stripping out of internal features, will undermine the case for listing.’

In these circumstances, it would appear reasonable to argue that the loss of the staircase would cause ‘substantial harm’ to this listed building. The stair is the listed building’s most important internal feature and its loss would cause considerable harm to the building’s architectural and historic significance. We would therefore recommend that the application should be assessed against the criteria in paragraph 133 of the NPPF. The Group is far from convinced that the applicants have successfully justified this proposal against these criteria, and would therefore strongly recommend that the application is refused consent.

#### **8.4 York Georgian Society**

The photographs included in the Heritage Statement indicate that the most important aspect of the staircase is its location in the building’s central hallway, more so than its intrinsic architectural detail, though these are typical of the period of the building. The very comprehensive investigation undertaken by Humble Heritage concludes that it is essentially a choice between losing the staircase and losing the building. If that is so, I think we would reluctantly have to agree to the loss of the staircase in order to save the building as whole, which makes an important contribution to this part of Ripon Conservation Area in addition to its own intrinsic importance.

#### **9.0 REPRESENTATIONS**

9.1 No third party representations were received.

Case            Mark Williams  
Officer:

Expiry Date:

