

Item Number: 9
Application No: 16/00055/LBC
Parish: Malton Town Council
Appn. Type: Listed Building Consent
Applicant: Fitzwilliam Malton Estate (Mr Roddy Bushell)
Proposal: External and internal alterations to include erection of a two storey linking extension between the Talbot Hotel and York House, regrading and reconstruction of the terraced garden to the south of York House, internal alterations to York House to allow conversion to additional guest bedrooms and associated facilities for the Talbot Hotel and demolition of outbuildings, walls and toilet block within yard area between the main buildings
Location: Talbot Hotel & York House Yorkersgate Malton North Yorkshire YO17 7AJ

Registration Date:
8/13 Wk Expiry Date: 1 April 2016
Overall Expiry Date: 18 August 2016
Case Officer: Rachel Smith **Ext:** 323

CONSULTATIONS:

Ancient Monuments Society	No views received to date
Georgian Group	Object
Garden History Society	No views received to date
Parish Council	No objection
Twentieth Century Society	No views received to date
The Victorian Society	No views received to date
Parish Council	No views received to date
Society Protection Of Ancient Buildings (SPAB)	Object unless additional information received
Yorkshire Gardens Trust	Objection and comments
The Council For British Archaeology	Comments made and recommendation of assessments and investigation
Building Conservation Officer	No objection - recommend conditions
Historic England	The proposals overall would cause less than substantial harm to the significance of the designated heritage assets affected
Archaeology Section	No objection subject to condition
Neighbour responses:	Mr Nigel Copsey,

PROPOSAL:

Planning permission and listed building consent are sought for:

- the erection of a linking extension between York House, and The Talbot Hotel
- the change of use and alteration of York House to provide additional guest bedrooms and associated facilities for the Talbot hotel,
- The demolition of outbuildings and walls within the service yard between Yorkersgate and The Talbot Hotel.
- the formation of an two openings within the boundary wall that runs in a southerly direction from the eastern boundary of York House.

The full works proposed are detailed within the Design and Access Statement and articulated on the submitted drawings.

APPRAISAL:

For clarification, applications for listed building consent must be determined in accordance with S16 (2) of the 1990 Planning (Listed Buildings and Conservation Areas) Act 1990, as opposed to Section 66 - (1) which relates to planning applications.

This includes the following requirement:

In relation to applications for listed building consent, The Planning (Listed Buildings and Conservation Areas) Act 1990 includes the following requirement:

16 - (2) In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State 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.

It is considered that the heritage assessment of the application raises the same issues that will be considered within the heritage section on the planning application, (16/00212/FUL). Indeed the statutory consultees have addressed both the planning and application in one response. Members are therefore advised to refer to the report on planning application 16/0054/FUL.

It is of note, however, that Regulations are in place in relation to the consultation and referral of heritage application: (Arrangements for handling heritage applications - notification to Historic England and National Amenity Societies and the Secretary of State (England) Direction 2015). The regulations require certain heritage applications to be referred to the Secretary of State for determination.

Referral is required where an objection is received from Historic England or a National Amenity Society (as listed in the Regulations), setting out their reasons for objecting and stating that the application should be notified or referred to the Secretary of State.

In this case, however, whilst an objection has been received from The Georgian Group and the Society for the Protection of Ancient Buildings, they have not stated that the application should be notified or referred to the Secretary of State. Consequently, the application does not trigger a requirement to refer to the Secretary of State.

RECOMMENDATION: **Approval subject to conditions**

Background Papers:

Adopted Ryedale Local Plan 2002
Local Plan Strategy 2013
National Planning Policy Framework
Responses from consultees and interested parties