

19/00334/LBC

Land To The North Of Castle Street And South-East Of Waterhouse Lane, Including Castle Buildings And The Earl De Grey Public House, Kingston Upon Hull, HU1 2DA

Application for listed building consent for demolition and partial rebuilding of Earl de Grey Public House; erection of link extension to Castle Buildings and Earl de Grey; refurbishment, reconfiguration of, and external alterations to Castle Buildings.

CASTLE BUILDINGS LLP

SUMMARY

- New hotel, plus demolition and partial rebuilding of Earl de Grey public house, refurbishment of Castle Buildings and linking extension to allow use as either/or café, restaurant, drinking establishment and offices. Public realm works, car parking and associated infrastructure.
- No objections received.
- Recommended for conditional approval.

SITE

The site is located within the Primary Shopping Area of the City Centre.

It currently accommodates two vacant Grade II listed buildings in the Earl de Grey Public House to its south-eastern corner, and Castle Buildings former offices to the south-western. The remainder of the site is currently occupied by a pay and display open-surface car park use.

To the south of the site runs the A63 at Castle Street, the subject of a Nationally Significant Infrastructure Project Improvement Scheme, currently at Examination stage. To the east and north-east the site abuts the Multi-storey Car Park (MSCP) for Princes Quay Shopping Centre, whilst to the north-west, beyond the public highway of Waterhouse Lane, stands the Bonus Arena, a mixed use live entertainment and conferencing venue with extensive public realm works to its south and west, and a further 342-space MSCP to its north.

Other listed structures nearby include the marinas and dock walls to the east of Princes Quay and south of Castle Street, the former Railway Dock Warehouse to the south and a further former warehouse building (occupied by Ask Restaurant) to the east. Part of the Old Town Conservation Area lies to the south of Castle Street.

PROPOSAL

Application for listed building consent for demolition and partial rebuilding of Earl de Grey Public House; erection of link extension to Castle Buildings and Earl de Grey; refurbishment, reconfiguration of, and external alterations to Castle Buildings.

Relocation of the Earl de Grey Public House is proposed in alignment with proposed works to Castle Street which are the subject of a proposed Development Consent Order (DCO).

PLANNING HISTORY

05/01507/OUT - Erection of mixed use development comprising retail, leisure, hotel, offices, food and drink, residential, car parking, servicing and access, together with alterations to public highway and public realm works (Outline application-means of access submitted). Approved 25.05.2007.

06/00905/LBC - Application for Listed Building Consent for the erection of a scaffolding structure with roof and internal bracing to provide temporary weather proofing. Approved 04.08.2006.

06/00909/FULL - Erection of a scaffolding structure with roof to provide temporary weather proofing. Approved 04.08.2006.

18/00029/LBC - application for Listed Building Consent for the remedial works to eastern elevation of Castle Buildings following demolition of 13, 14 Castle Street, comprising making good of brickwork and blocking up of 2no. door openings (at ground and first floor). Approved 05.03.2018.

REPRESENTATIONS

Highways England

No objection.

The Society For The Protection Of Ancient Buildings

No response.

The Ancient Monuments Society

No response

Council For British Archaeology

No response

The Georgian Group

Limits comments to the future of the grade II listed Earl de Grey PH only.

In considering the proposal the Group has been mindful of the advice provided by the Council's Urban Design and Conservation Officers, and by Historic England, both of whom have apparently reluctantly accepted the need to move this Grade II Listed Building. The proposed road improvements will undoubtedly bring clearly definable public benefits; and whilst the demolition of the building will undoubtedly cause a considerable degree of harm, its re-erection will arguably help to mitigate this harm to a certain extent. Much will depend however on the faithfulness of the proposed reconstruction, on the maximum reuse of existing historic fabric, and on the listed buildings relocation in a form which will both reinforce and enhance the historic grain of the immediate surrounding area.

The Georgian Group strongly supports the recommendation that the Earl de Grey should be rebuilt on a building line consistent with that of the adjoining Castle Buildings and the proposed new hotel on Waterhouse Lane.

The location of the proposed new staircase should be moved in order to allow the original function of the former bar area to be more clearly read (and if possible, for this function to be reinstated at a future date). The location and size of the presently proposed stair may act as a deterrent for certain types of business and thus limit options for the buildings long-term use. Moving the proposed stair would thus help to safeguard the re-erected structures significance and improve its long term viability.

The Group supports Historic England's recommendations regarding the need to faithfully rebuild the chimney stack and recreate the historic fenestration pattern, in order to preserve the listed building's significance.

A detailed method statement must be provided for the recording, dismantling and rebuilding of the structure. This document should provide details of where the dismantled materials are to be stored, and the method of storage. This is particularly important for more fragile elements such as the faience public house fascia and surviving historic joinery. A workable but clearly defined time limit for building's re-erection should also be set which would ensure that it is re-erected in the initial phase of the site's redevelopment.

The Society For The Protection Of Ancient Buildings

No response.

The Victorian Society

No response.

Twentieth Century Society

No response

Conservation

Extension to rear of Earl de Grey and Castle Buildings – Strongly support. The proposed single-storey extension will be located to the rear of the properties, where it will be well related. The extension will be of an acceptable, lightweight and subordinate design (with its own design integrity) and will not dominate the existing buildings in scale, height, material or situation. The contemporary design will also promote honesty and 'readability' (legibility), ensuring that old and new build are clearly distinguishable.

Earl de Grey public house - To facilitate the A63 Castle Street improvement scheme demolition of the Earl de Grey public house is required. The pub has been closed since 2005. The listing does not include the two-storey rear range, which has been subject to a sequence of substantial alterations and rebuilding, and the 2003 side extension, as they are not of special interest. Likewise with the interior, which has been heavily altered throughout and now contains no features of historic interest. The loss of the unlisted accretions is therefore of no heritage concern. In terms of the main listed structure, the proposal to demolish (or rather carefully dismantle) and rebuild on a new site, will on the face of it, lead to substantial harm to, but not total loss of significance of, a designated heritage asset. However, there is a clear choice here, it is a case of move it or lose it. The substantial public benefits of the A63 Castle Street improvement scheme clearly outweigh the harm in this case, and with a carefully controlled set of conditions attached to any approval granted, the substantial harm to significance can be mitigated to less than substantial by ensuring key features are restored. Furthermore, given that the pub has been vacant for over a decade (due to its now unfavourable and isolated location on the edge of the busy A63 (which will

not change in the future)), securing its optimum viable use and long term future is also paramount.

There is historic precedent for the proposal here. In 1999 the grade II listed The Old Wellington Inn and the grade II listed Sinclairs Oyster Bar, Manchester were both dismantled and moved 300 metres northwards to a new location, close to Manchester Cathedral. They were both rebuilt and reoriented at 90 degrees to each other and joined together by a new stone extension to form two sides of a vibrant new square. The proposed relocation of the Earl de Grey to Waterhouse Lane is not dissimilar. The Earl de Grey will remain very close to its original historic location and in close proximity to Castle Buildings. Waterhouse Lane is also in effect a 'spiritual home' for the pub, the two having close historic social associations. The current detached nature of the pub is alien too; it was previously part of a mixed terrace. Rebuilding the Earl de Grey on the north side of Castle Buildings (with a glazed visual separation link) will re-establish a stronger built context for the pub, with a favourable focus facing towards the Bonus Arena and the provision a new public space behind both listed buildings. This will better enhance the significance of both buildings and create a complementary historic pair in the shadow of the proposed new brick faced hotel, which will further strengthen the built context.

Although generally supportive of the proposal in relation to the Earl de Grey, would strongly favour the pub being rebuilt on the same building line as Castle Buildings (at the back edge of pavement) and not set back in a subordinate manner as proposed. To maintain significance, the original plan form of the building must also still be legible. Therefore, any exterior walls with new knock throughs must maintain drop downs from the ceiling and wall end nibs. New features, such as the stairwell, must not encroach into what was the public bar area. The main entrance doors must remain as double doors, not a single door as proposed. The side door must remain as a panelled door. The proposed chimney stack is too squat and not as existing. First and second floor fenestration pattern is not as existing and must be amended accordingly.

Recommended conditions:

Before demolition, the building must be subject to a Level 4 building recording in accordance with Historic England guidance contained in 'Understanding Historic Buildings – A Guide to Good Recording Practice', 2016.

Before demolition, a methodology for carefully dismantling and reconstructing the pub must be submitted for written approval by the LPA. The methodology must also include an inventory of all building components to be reused, including brickwork. Where components are not suitable for or incapable of reuse or of insufficient quantity, details of all new materials must be submitted for written approval by the LPA.

The Earl de Grey must be rebuilt using traditional building skills and materials, eg lime mortars and renders.

The modern unsympathetic glazing in the green faience ground floor windows must not be reused. The traditional ornate decorative leaded light glazing (illustrated in a c.1950 photo on page 124 of 'Hull – Then and Now 5' by Paul Gibson, 2015) must be reinstated. Before manufacture and installation, details for the design of the window glazing (at a scale of 1:10) must be submitted for written approval by the LPA.

The new render scheme must include a large traditional, hand painted, pub related sign on the new north (old west) gable wall of the pub. Before application, details of the design (which should be inspired by the old 'Bentley's Yorkshire Brewery' sign illustrated in a 1965 photo on page 46 of 'Hull Camera 1964-1991 – A Photographer's View of Hull' by Ted Tuxworth, 1991) must be submitted for written approval by the LPA.

After demolition, the original site of the pub must be marked in the ground with a decorative piece celebrating the pub. Before manufacture and installation of the piece, details of the design must be submitted for written approval by the LPA.

Castle Buildings – No objection on conservation grounds. Good conservation practice recognises that intelligently managed change may sometimes be necessary if heritage assets are to be maintained for the long term and that, wherever possible, heritage assets should be put to an appropriate and viable use that is consistent with their conservation. For the great majority this must mean economically viable uses if they are to survive (earn their keep), and new, and even continuing, uses will often necessitate some degree of adaptation. Furthermore, keeping heritage assets in use avoids the consumption of large amounts of building materials and energy and the generation of waste from the construction of replacement buildings. Therefore, the best way of securing the upkeep of historic buildings and areas is to keep them in active use. The proposed adaptations necessary in this case appear thoughtful and sensitive, working 'with' the building as far as practically possible, rather than 'in spite of' it, thereby ensuring its essential character will not be adversely affected. External alterations are minimal, therefore no adverse impact on the setting of the Old Town conservation area or setting of other listed buildings. In relation to conditions, the following are recommended:

Before installation, details of all new internal and external doors and door architrave must be submitted for written approval by the LPA.

No floor, wall or ceiling linings to historic surfaces must be installed without the written approval of the LPA.

Urban Design

Demolition and partial rebuilding of the Earl de Grey public house
Strongly support in principle. The pub has been closed since 2005. Rebuilding the public house adjacent to the blank side elevation of Castle buildings will breathe new life and vigour into the Earl de Grey – something it is believed will not happen if it remains stuck, isolated and detached facing onto the A63. Relocating and re-orientating the building to sit within a new terrace and street frontage to Waterhouse Lane with a favourable outlook towards the new Arena will restore its prominence in the townscape and will bring this vacant and at risk listed building back into viable long term use. The proposed relocation is the highlight of this proposal and constitutes a positive and welcome piece of place-making that will enhance the significance of both listed buildings and with proposed hotel and existing arena will create a node of activity and create a new (positive) public space.

Whilst generally supportive for the reasons described above, there are elements of this proposal where revisions should be sought:

- The proposal is to recess the Earl de Grey from the back edge of the Waterhouse Lane pavement thus stepping it back from the building line formed by the Castle Buildings and the proposed hotel (colonnade). It is strongly recommended the building is brought forward to create a consistent and uniform building line. The Earl de Grey is the most diminutive of the three buildings and recessing it back, even slightly, has resulted in it looking subordinate in the street scene relative to its proposed neighbouring buildings. Furthermore, by recessing the Earl de Grey it exacerbates the juxtaposition in height with the proposed 9 storey hotel and reinforces the idea that the Earl de Grey is at the bottom of a hierarchy relative to the other buildings. Whilst its decorative façade carries it so far, bringing the Earl de Grey forward to the common building line will ensure its prominence in the street scene and hierarchy (level access into one, or all, of the entrances can still be achieved without the need to recess the building).
- Location of the proposed stairwell compromises (albeit slightly) the floor area of the room that traditionally has been the 'front room' or 'tap house' of the pub. Can the staircase be reconfigured and relocated to the modern extension (glazed link building) thus removing this element from the listed part of the building? Doing so would unburden the footprint of the listed Earl de Grey and enable a more flexible approach to its future use. It is important to state that the Earl de Grey's story is as much a part of its special character as its faience façade, and a significant part of the justification for relocating it from its original position (on the face of it causing substantial harm) is that the proposed development will safeguard the future of the public house to be enjoyed in the future. Whilst future use/operators may not be determined at this time, proposals should have the highest regard for preserving the Earl de Grey in a way that also maintains its special character and significance as a public house.

Scale and massing

The form, scale and massing of the proposed hotel makes a powerful landmark and will create a strong visual approach from all directions. Its height and materiality references the verticality of Warehouse Thirteen to the south of the site but without slavishly copying it. The immediate context includes the new Hull Arena to the north which the hotel compliments in terms of its use and form. To the east (and northeast) is the unappealing west side of Princes Quay shopping centre with its crass and oversized signage and unattractive multi-storey car park – thankfully the proposed hotel will create a landmark building to screen and distract from this view of Princes Quay.

At a human scale the proposed colonnade and exposed concrete plinth detail help to integrate the base of the hotel building within the overall scheme and helps to visually knit the street frontage and buildings together.

Layout and movement

The proposed is a rational response to the site with the long axis of the hotel oriented to correspond with the depth of the site. This broadly N-S alignment of the building's long axis works well in terms of the spaces around it and in terms of sun path and day light. The proposed layout supports pedestrian permeability through the site – in particular the future desire line that will take pedestrians through the site between the Arena and the A63 footbridge and Marina/Fruit Market beyond.

Locating the hotel entrance onto Waterhouse Lane will contribute to the active frontage and further unifies the development with the Arena and associated public space. There is adequate provision and arrangements for car parking, servicing, loading and unloading etc.

located to the east away from the pedestrian activity and tucked away between the proposed hotel building and the existing multi-storey car park.

Public realm/space

The public space between the site and the Arena immediately to the north of Waterhouse Lane is currently underused, underutilised and suffers from a lack of enclosure, surveillance and over-exposure to the A63 traffic. This proposal will bring much needed activity, enclosure, surveillance, shelter and purpose to this space. There is a larger opportunity (perhaps involving other stakeholders) to undertake some off-site work to reconfigure this public space to create a proper urban space and successfully tie together the hotel, listed buildings and the Arena. At present the landscaping is rather nebulous and does little to support the Arena, nor the proposed development.

The application pack lacks a drawing of sufficient detail depicting the proposed wall/barrier to the south of the site which will provide an all-important acoustic and visual barrier benefiting the space – especially if this area is to be used for outdoor eating/sitting etc.

Appearance

Proposed hotel – Supportive in principle based on the indicative information provided. As materials are shown as 'TBA' it is strongly recommended an appropriate condition is attached to any approval covering all external materials. Welcome the submission of drawings showing typical wall build-ups glazed and solid external areas (no. SK002) as this provides a level of detail at an appropriate scale required as part of a planning application to ensure a high standard of design.

Castle Buildings – no objection to the minor proposed changes to Castle Buildings.

Earl de Grey – a method statement (or similar) is required detailing how the building is to be demolished and rebuilt. Any original fabric not used as part of the reconstruction will need an acceptable justification and all new materials must be submitted for written approval by the LPA. It is recommended an appropriate condition covering this requirement to ensure less than substantial harm is caused to the listed heritage asset.

Link extension – the glazed infill and single-storey rear extension is of an acceptable contemporary, subordinate appearance which physically connects yet visually separates the two listed buildings. It is of an honest design and is sufficiently unassertive so does not distract from the listed buildings.

Recommendations

- For the reasons stated above strongly recommend the Earl de Grey is brought forward to create a consistent building line to Waterhouse Lane with the Castle Buildings and proposed hotel.
- For the reasons given above it is recommended the design team seek an appropriate solution for relocating the proposed internal staircase from the listed part of the Earl de Grey into the modern extension.
- Further design detail (drawing) is required in relation to the proposed wall/barrier to the south of the site which will provide an all-important acoustic and visual barrier to the A63.
- A method statement (or similar) is required detailing how the building is to be demolished and rebuilt. Any original fabric not used as part of the reconstruction will need an

acceptable justification and all new materials must be submitted for written approval by the LPA. Recommend an appropriate condition covering this requirement.

Enforcement Manager

Hull City Council has served a Section 215 notice upon the owners of the Castle Buildings. The roof repairs and scaffolding must be removed by August 2019 according to the S.215 notice.

In the event that this application is approved, it would be appropriate for the Council to take into account any realistic start date for development to commence and any works schedule provided by the applicant before determining the expediency and timing of any further action.

Marina Residents Association

No response.

Hull Civic Society

Strongly support the applications to build a new hotel next to Princes Quay and to refurbish the listed Castle Buildings. Also support in principle the proposal to rebuild the listed Earl de Grey PH, but have a number of concerns which need to be addressed by modifications to the proposal – (1) Should be restored as a working pub and not just as a pub façade; (2) The hanging sign should be retained and the chimney rebuilt to its present height; (3) The ceramic tiling to the façade should be retained; (4) Building line to Waterhouse Lane should be followed; (5) Proposed glass extension creates too sharp a contrast and suggest brick would be more sympathetic; (6) Staircase needs to be repositioned to allow the rooms to function as a pub.

Humber Archaeology Partnership

19/00334/LBC Application for listed building consent for demolition and partial rebuilding of Earl de Grey Public House; erection of link extension to Castle Buildings and Earl de Grey; refurbishment, reconfiguration of, and external alterations to Castle Buildings. Land To The North Of Castle Street And South-East Of Waterhouse Lane, Including Castle Buildings And The Earl De Grey Public House

Thank you for consulting the Humber Historic Environment Record upon this application which falls within an area of archaeological interest.

Archaeological remains dating from the early medieval period through to the post medieval and modern period have been recorded within the area of this proposed development. Archaeological recording undertaken in advance of construction of the Bonus Arena revealed evidence of remains of former brick built buildings, the foundations and walls of which aligned with the existing street pattern, which began to be laid out at the end of the 18th century. Map evidence suggests that the proposed development could impact on the hamlet of Myton as well as the possible location of the settlement of Wyke, Hull's predecessor. A number of watercourses, drains and tracks shown on early 18th century mapping could suggest the layout of settlement during the medieval period. 18th century mapping also shows drains and watercourses lying just west of the outer defences constructed during the sieges of Hull in 1642 and 1643 as part of the English Civil War.

I would, therefore, expect the applicant to take appropriate measures to ensure that any heritage assets of archaeological interest are identified, recorded and safeguarded in advance of development. The information I have received about the proposals does not include sufficient detail concerning the precise nature, location, depth and extent of archaeological remains in the proposed development area.

I would recommend that a programme of trial trenching is undertaken to understand the archaeological potential of the site and understand the character and significance of any archaeological features that may be present. The results of the evaluation will provide detailed information to enable an informed and reasonable planning decision to be taken. If the evaluation shows that there are significant archaeological deposits, which will be affected by the proposed development, mitigation measures, where feasible, should be explored to ensure their preservation.

In this instance, I would wish to ensure that the archaeological evaluation and any subsequent mitigation strategy is identified in advance of any development commencing. I would therefore be grateful if you could apply the following condition should planning permission be granted.

Condition:

A) No demolition/development shall take place/commence until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. Community involvement and/or outreach proposals
3. The programme for post investigation assessment
4. Provision to be made for analysis of the site investigation and recording
5. Provision to be made for publication and dissemination of the analysis and records of the site investigation
6. Provision to be made for archive deposition of the analysis and records of the site investigation
7. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

B) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).

C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Conservation Area Advisory Cttee (CAAC)

No response.

Access Officer

The proposals have included a fair amount of inclusion in the design and facilities provision, though there are a few areas of concern.

Landscaping materials appear suitable, but should be laid to BS 8300:2019 standard.

Banding in public realm design can give the impression of steps, confusing visually impaired people and some with dementia. Bands can be used rationally to guide people between and to the entrances to buildings.

Between the front elevation of the relocated Earl de Grey, and the back of pavement is shown a ramp at a gradient of 1 in 12. There is a requirement for an upstand to any open edge of a ramp. This should have handrails to both sides, even though this may not be desirable visually, otherwise, the ramp must have a better than 1 in 20 gradient, thereby becoming a graded approach. At 1 in 21 a ramp will need to be 8400mm to overcome a change in level of 400mm, which may come into conflict with the corner column to the new hotel building.

The proposed transition detail between the approach to Earl de Grey and back of pavement, looks like a potential trip hazard with a short steep slope to overcome what appears to be 400mm. The doors as shown open outwards, and the distance between the open edge of the door and the steep slope appears to be less than 500mm. There is therefore the possibility of someone backing off down the slope and falling whilst opening the door.

The proposed new entrance door in the glazed extension, behind the Earl de Grey does not provide an unobstructed opening of 1000mm.

The 4 double door sets into Castle Buildings seem to be narrower than a single door shown on plan. The most internal pair of doors also appears to be much smaller than the first 3 pairs. These doors are shown on the existing but we should be looking to make sure that they meet a recognisable accessibility standard. This could include the use of hold open devices, or automating the doors if a leaf cannot meet an accessibility standard.

The scheme includes good means of overcoming the changes in floor level between castle Buildings and the Earl de Grey, as well as giving access to all floors.

Feature walling to the rear of the buildings should be designed with equitable access and safety in mind.

Historic England (LBC)

Summary

The proposal seeks to provide a new viable and sympathetic use for two vacant Grade II Listed Buildings. Broadly very supportive of the proposal but advise that some amendments should be sought and further detailed method statements are needed to ensure that the proposal is achievable in a way that conserves both Grade II listed buildings in a manner appropriate to their heritage significance. Have concerns at present regarding the application on heritage grounds.

Historic England Advice

Significance of the heritage assets, including the contribution setting makes to significance.

The Earl de Grey, Grade II Listed (originally known as the Junction Dock Tavern) dates from the early-mid C19 and originally formed part of a block comprising 6, 7 and 8 Castle Street. It is a rendered brick with faience (decorated ceramic) ground floor of circa 1913, slate roof, three storeys. It is a good example of a C19 pub altered in the early C20 through the addition of an elaborate faience shopfront. It is one of only a few early buildings left remaining on the western half of Castle Street, one of the oldest routes into Hull, and is important as a physical reminder of dock life in this part of the town.

The Earl de Grey PH figures prominently in the history of Hull. The considerable communal heritage value of the Listed Building also derives from its connection to the shipping industry and as a result of the diverse communities that frequented the building during the long history of the building as a public house. Castle Street developed within the context of a maritime hub and its urban mix served dock workers and seamen. The interior of the building has been heavily altered and has been excluded from the listing.

The Castle Buildings, Grade II listed was constructed in 1900 as the offices of steamship owners and brokers. It is designed in the Renaissance Revival Style by BS Jacobs of Kingston upon Hull and uses mellow brick with ashlar dressings and a slate roof, two storeys plus attic. It has a striking curved frontage that takes full advantage of its prominent corner location on one of the oldest routes into Hull. The distinctive form of the building combined with the polychromatic treatment of the elevations and four chimneys make this a distinctive landmark building particularly in views from the west.

The buildings original function as a shipping office remains legible through the numerous historic features retained in the interior. The internal layout and historic features that survive make a very strong contribution to the significance of the building. There is a clear differentiation between more formal meeting spaces, offices and the general public. Being located close to the docks it is an important physical reminder of Hull's maritime history and trading links, and has been occupied by a succession of maritime-related tenants throughout its history until the 1970s.

The setting of both listed buildings has been affected by the loss of surrounding buildings and the widening of the A63 Castle Street in the 1970s. The dual carriageway runs close to the principal façade of the Earl de Grey. However, the Castle Buildings in particular remains an important touchstone to the past townscape as it marks the corner of Castle Street and Waterhouse Lane. The erosion of the historic setting of the listed buildings presents an opportunity for their setting to be enhanced through development.

Impact on the significance of the heritage assets

Significance (for heritage policy) is defined in the NPPF as "the value of a heritage asset to this and future generations because of its heritage interest, that interest may be archaeological, architectural, artistic or historic"; it derives not only from a heritage asset's physical presence, but also from its setting".

The widening of the A63 Castle Street in the 1970s increased how the busy road impinges on the Earl de Grey. The demolition of the Earl de Grey is currently being proposed in order to facilitate the A63 "Castle Street Improvement Scheme". Regardless of this consider that the current scheme for both listed buildings offers the opportunity and potential to secure their futures which would deliver public and heritage benefits.

The proposal involves relatively minor changes to the Castle Buildings and overall its heritage significance will be maintained. Any detailed matters such as doors, floor and wall

linings affecting historic surfaces will need to be agreed to the satisfaction of the Council's conservation officer.

The proposal will involve the setting of both listed buildings. The recently developed Bonus Arena and public open space has created the opportunity for an active frontage along Waterhouse Lane. Repositioning the Earl de Grey to address this space will create a new public open space from where the faience will be appreciated. The closer proximity to the Castle Buildings will also strengthen the urban grain, along with the new hotel building.

Given that the proposal in its current form would result in harmful impacts to the significance of the Earl de Grey advise that these impacts should be avoided where possible and then minimised. The Planning Statement refers to the application being supplemented in due course following the preparation of a Heritage Impact Assessment. Suggest the following amendments in order to ensure that the proposal complies with the requirements of the NPPF:-

- The re-erected Earl de Grey should be brought forward so that the frontage is "back of pavement" in the traditional manner, flush with Castle Buildings. This is in order to ensure its prominence in the streetscape is fully achieved.
- More of the external form and principal walls of the listed building should be rebuilt to ensure the legibility of the building envelope so that it reads as separate from Castle Buildings.
- The proposed internal layout of the repositioned Earl de Grey as proposed does not respond positively to its significance. A major portion of the interior is proposed to be used for a new staircase which compromises the amount of useable space. Advise that a new staircase should be smaller, ideally a bespoke carpentry piece but if it needs to be larger question whether the staircase could be reconfigured and relocated to the modern extension (glazed link building) thus removing this element from the listed part of the building.
- The proposed elevations should be revisited so that the fenestration matches the existing, including the proportions of the chimney stack.
- The new main entrance doors should be double doors to a traditional design.

Opportunities for appropriate enhancements should be considered, for example the addition of a new curved bar similar to the one that was removed. Also, there is an opportunity to add leaded lights to the new front windows to complement the faience frontage.

The Planning Statement refers to the application being supplemented in due course with a Heritage Impact Assessment. This will be important to explain the full nature and extent of the impact on significance of the listed buildings. In addition to this consider that at present there is not enough detailed information to explain how the taking down and rebuilding will be achieved. The existing drawings for the Earl de Grey are marked "work in progress pending survey". Therefore advise that the LPA should consider requesting the following information prior to consent being granted:-

- Structural Report that provides adequate assurances that the works are achievable.
- Method Statement for the dismantling and rebuilding for the listed building. This should include an inventory of all building components to be reused including brickwork.
- Method Statement for moving the faience façade.
- Recording – prior to any demolition, the building must be subject to a Level 4 building recording in accordance with Historic England guidance contained in "Understanding Historic Buildings – A Guide to Good Recording Practice" 2016.

- Phasing Plan (related to conditions attached to any consent granted) to ensure that the works to the Listed Buildings are implemented to an agreed timetable and prior to the occupancy of the hotel. The relocation of the Earl de Grey should ideally be the first phase of the development.
- Public Art Strategy, ideally as a formally adopted document attached to a condition for timely implementation, for the new courtyard area including the external spaces around the two listed buildings, relating to interpreting and showcasing their heritage significance. For example, traditional signwriting and artwork on the gable end. The site of the public house should be marked out on the ground as a decorative piece of artwork that interprets the original site of the public house. This could also include details of the form and design of new site boundary treatment to the south of the site which will provide an all-important acoustic and visual barrier to the A63 benefitting the space. This could also be an attractive new feature within the space.

The following principles for the rebuilding should also be agreed with the LPA:-

- The taking down and rebuilding of the Earl de Grey will re-use all of the existing fabric.
- Where any new materials are required they should be of the highest quality traditional materials and use traditional heritage craft skills including lime mortars and renders, involving apprenticeships and training in all aspects of the works.

Extension to the listed buildings – no objection to the size, form, height or materials proposed for the new single storey extension to the rear of the listed building in terms of scale and the contemporary design means that it will clearly be a later addition. Advise that this should be the location for new servicing as far as possible to avoid impacting on the historic character of the listed buildings.

The new hotel building is a tall and bulky structure. However, historic maps and images show that historically the area surrounding the listed buildings contained large warehouses relating to the docks. The current context of the recently erected Bonus Arena and Princes Quay Shopping Centre demonstrate how this area has been the subject of a major change and redevelopment over the course of the twentieth century. Therefore consider that the setting of the listed buildings can accommodate the degree of change proposed and that this would not damage their heritage significance. Locating the hotel entrance on Waterhouse Lane will strengthen the active frontage facing the Bonus Arena and makes it even more important to bring the Earl de Grey frontage forward to ensure it does not appear diminutive in the hierarchy of buildings.

Recommendation

Historic England is supportive in principle but have some concerns regarding the detail of the application.

APPLICANT'S CASE

Planning Statement (Report summary)

- Since being named UK City of Culture 2017, Hull has gained national and international recognition. As a consequence, the City has experienced unprecedented levels of public and private investment. There has been a marked step-change in the City, which Hull City Council ('HCC') wants to build upon to make Hull a world class visitor destination.

- To support this ambition further development is required in the City Centre to support tourism, including hotels, restaurants and bars. HCC has identified several sites in its Development Plan to accommodate such development, one of which is the application site. There is, therefore, a plan-led presumption in favour of the development.
- The proposals involve the partial relocation of the Earl De Grey within the site and the subsequent refurbishment and extension of Castle Buildings to link the two buildings (which are Grade II listed) together. The buildings will provide a high-quality, active frontage to Waterhouse Lane and will be suitable for a range of uses including A3 and/or A4 and/or B1a, all of which are appropriate for this City Centre location. A3 and/or A4 use would have a symbiotic relationship with other development in this part of the City, including the Bonus Arena, whilst office accommodation would bolster activity during the daytime.
- The design of the scheme has been heritage-led and will secure a viable re-use of the buildings. An attractive piazza lies to its rear, providing substantial improvements to the public realm and an opportunity for public art. The site layout also gives rise to an attractive pedestrian route through the site from Castle Street to the Bonus Arena, linking two 'quarters' of the City.
- The demolition of Earl De Grey, which would have been required in any event due to planned carriageway widening on the A63, makes way for a 9-storey hotel on the site. A landmark building at this gateway into the City Centre, the hotel design takes reference from the simple, traditional appearance of dock-related buildings across the City. Not only will it provide visitor accommodation to support the growth of tourism in the City, but it will contribute towards the overall vitality and viability of the area through the incorporation of a sky bar which overlooks Hull Marina and the Humber beyond.
- The proposals have been shaped by engagement with HCC, Historic England and other stakeholders. They will positively respond and contribute to the City's regeneration and transformation objectives. Whilst the proposals will result in some harm to designated heritage assets, the development will rise to a range of substantial public benefits which weigh heavily in favour of the development in the planning balance.

Design and Access Statement

These proposals have been developed over a period of several months in a collaborative manner between the client, their design team, Hull City Council and Historic England. The scheme has been developed to make a considerable contribution to the emerging night time economy, leisure uses and high quality public realm in this area of the city, and to create a pleasant new pedestrian linkage through the site with a new south facing public piazza space.

The Design Panel report comments: "the proposed siting and alignment of the new hotel promises to generate a very successful corridor of pedestrian movement, linking the station area with the Castle Street footbridge and Fruit Market area beyond, via the impressive new Arena. The formation of a new public open space on this route, between the hotel and the reconfigured group of listed buildings, will add further value and sense of place."

The proposed relocation of the Earl de Grey listed building to adjoin Castle Buildings, whilst exceptional, offers significant benefits by reinstating, at an appropriate scale, historic frontages along Waterhouse Lane. It offers improved flexibility and viability to both listed

buildings by facilitating a combined floor space and enhances the viability of the Earl de Grey by delivering greater prominence from the public realm around the Bonus Arena. Overall this will contribute towards the animation of the existing and proposed public realm between the Bonus Arena, the Princes Quay Shopping Centre and the proposed hotel in this emerging city quarter.

The Design Panel report comments: “the proposed treatment to listed buildings is a clever and rational response, which optimises the qualities of both buildings. The result is a solution that exhibits the most valued and characterful parts well.”

The proposed hotel will help support the emerging leisure economy by linking different parts of the city centre. These proposals have been designed to take full advantage of this opportunity and can be considered to be the “missing part of the jigsaw”. The proposed sky bar, with its south facing terrace, will become a new high profile city centre destination, affording tremendous views across the Marina, the Old Town and the Humber Estuary.

Heritage Statement

Identifies and describes the site and surrounding heritage assets (listed buildings and conservation areas) together with their significance.

PLANNING FRAMEWORK

Hull Local Plan 2016 to 2032

Strategic Priority 6 - Protect and enhance the city’s historic assets.

Policy 14 – Design

Policy 15 - Local distinctiveness

Policy 16 - Heritage considerations

Policy 44 - Biodiversity and wildlife

Other Material Considerations:-

SPD 2 - Heritage and Archaeology

National Planning Policy Framework

NPPF15 Conserving and enhancing the historic environment (paras 184 to 202).

PLANNING APPRAISAL

The application site hosts two Grade II listed buildings in the Earl de Grey public house, and Castle Buildings.

The proposals involve the dismantling, relocation, and reconstruction of the Grade II Listed Earl de Grey Public House.

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 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.'

The NPPF, at paragraph 192 states that 'In determining applications, local planning authorities should take account of:

- a) The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

At paragraph 193 the NPPF directs that 'When considering the impact of proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation', and the succeeding paragraph requires that any harm to, or loss of significance should require clear and convincing justification, and that substantial harm to a grade II listed building should be exceptional.

Paragraph 195 to the NPPF then sets out that 'When a proposed development will 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 bring the site back into use.'

In considering less than substantial harm, the NPPF guides local planning authorities to weigh that harm against the public benefits of the proposal, including where appropriate, securing optimal viable use.

Local Plan policy 16 (1) states that 'Development that would cause harm to the significance of a designated heritage asset will only be approved where it has been convincingly demonstrated that the harm cannot be avoided and there would be public benefits sufficient to outweigh the harm or loss caused.'

The Earl de Grey has been vacant since 2010, and hitherto had closed in the year 2000, re-opened briefly in 2004, and then closed again in 2005. In 2006, the local planning authority approved a major retail-led, mixed-use redevelopment scheme for the wider area, including

the application site, with plans in outline to integrate the vacant public house with the similarly vacant and grade II listed Castel Buildings through connecting redevelopment. The major scheme advanced no further following the financial crisis and related recession of 2008, but the proposals at the time identified the application site as a later 'Phase B' in any event, due to its protection from development as a consequence of the proposed upgrade of the adjacent A63 Trunk Road. This planned infrastructure improvement, the need for which has been long identified, has sat within the various stages of the pipeline of central government highway investments for many years. This uncertainty and delay has effectively blighted the Earl de Grey in terms of planned investment and viability, not aided by the presence of an often congested dual carriageway with a high proportion of HGV traffic influencing the environment to its front door, contributing towards its vacancy and consequent physical deterioration.

Central Government funding for A63 Castle Street Improvement Scheme has now been committed, and Highways England have submitted an application for a Development Consent Order to the Planning Inspectorate to undertake improvement works to the trunk road. The application, currently within its examination stage, describes, and seeks listed building consent for, the partial demolition of and partial rebuilding of the Earl de Grey, approximately 3 metres to the north of its current position.

The Council, as host authority, are key consultees and participants within the Nationally Significant Infrastructure Project process, but will not be the determining authority for the Development Consent Order, that decision due to be made by the Secretary of State on the recommendation of the examining authority. Consequently, the demolition and re-positioning of the Earl de Grey through this process would be out of the local planning authority's hands.

Aside from the harm which would accrue from the demolition of the building, it is considered that the recession of the building by three metres from its historic alignment as described in the DCO submission would leave residual harm by removing the building from its historic alignment, disrupting its historic, although fragmented relationship with Castle Buildings which shares the same frontage to Castle Street, and diminishing its presence within the streetscene, whilst failing to address and take full advantage of positive, potentially complementary redevelopment which has recently occurred to the north of the site in the shape of the Bonus Arena and public realm works, and delivery of a new 342-space MSCP. Furthermore, beyond the building footprints of Castle Buildings and the Earl de Grey, and the additional 3 metre buffer to the rear of the latter included to facilitate its physical withdrawal, the remainder if this application site sits outside of the limits for the A63 Improvement Scheme, meaning that the alternative relocation of the public house being proposed as part of this application, cannot be approved as part of the Development Consent Order process. It should be noted, however, that in written submissions to the Planning Inspectorate Highways England have expressed support for this application, and identified on-going negotiation with the applicants and representatives of the Council to facilitate an agreement whereby an alternative relocation could be pursued, subject to securing appropriate planning permission and listed building consent.

Historic England, the government's advisers on the historic environment, have submitted written representations to the Planning Inspectorate, concerning the proposed relocation of the Earl de Grey, recognising the building's high value for historic interest, and architectural interest in its faience shop front, and seeking further detail on methodology of its proposed demolition and relocation as proposed by the DCO scheme.

Historic England has also responded to consultation on this listed building application, advising that they are 'broadly very supportive of the proposal'. The response recognises how the A63 in its current form impinges on the Earl de Grey, and references the proposed demolition described in connection with the proposed Castle Street Improvement scheme, but advises that 'Regardless of this we consider that the current scheme for both listed buildings offers the opportunity and potential to secure their futures which would deliver public and heritage benefits.' The response also seeks further information on the method statement for dismantling and rebuilding of the buildings, plus a number of revisions to the proposed plans as submitted, and highlights the importance of a heritage impact assessment to clearly identify the nature and extent of impact on the significance of the building. The response advises the local planning authority to 'consider requesting the following information prior to consent being granted', and goes on to list a structural report, method statement for the dismantling and rebuilding of the Earl de Grey and its faience façade, building recording, phasing plan, and public art strategy.

The exceptional nature of a proposal which involves the taking down and relocation of a grade II listed building, and the special regard and rigorous consideration required by relevant legislation and guidance as a consequence, is recognised. In the particular case of the Earl de Grey, we have a long-vacant heritage asset which, as a consequence of historic development over recent decades, has become isolated from much of its historic context, is beset by a traffic-dominated environment to its business frontage, not conducive to outdoor seating or lingering footfall, and is poorly positioned to maximise potential commercial opportunities from the boost to the local leisure economy provided by the introduction of the Bonus Arena to the north. Continued vacancy with associated physical deterioration is considered to be a very real prospect for the building should the status quo prevail, particularly given the number of closures which have affected public houses within and beyond the city in recent years. Alternatively, should the Development Consent Order for the A63 Castle Street Improvement Scheme be approved by the Secretary of State in its submitted form with regard to this building, then it will be dismantled, removed from its historic position and relocated elsewhere on the site.

The Local Plan is explicitly supportive of the A63 Improvement Scheme, and the public benefits of the same are considered to be substantial indeed, in terms of contribution to the local, national, and regional economies by increasing access to the Port of Hull, improving accessibility to development land along the corridor and within the city centre, reducing congestion and thereby improving air quality within the AQMA, separating local and regional traffic allowing improved flow on the local highway network, and improving connectivity between the city centre and its waterfront through the introduction of grade-separated crossing point for cyclists and pedestrians, reducing accident and casualty rates in so doing.

The proposals the subject of this application offer to augment these significant benefits by presenting a positive alternative to the sub-optimal relocation of the Earl de Grey. Instead of remaining in isolation, and addressing a trunk road in a recessed position as proposed within the DCO scheme, by relocating the building adjacent to Castle Buildings, with a link extension proposed to the rear of both, greater flexibility for the potential future use of both buildings would be offered. This likely re-use of both listed buildings is considered to be critical to the consideration any balanced judgement of harm against benefit, and given the significant communal heritage value of the building identified by Historic England and others, it is considered appropriate that the ground floor of the premises as a minimum be retained within publicly accessible equivalent use. A condition to this effect is recommended.

The solution would also enable the Earl de Grey to remain in close proximity to its original location, within the historic dockland locale, in which it has had a long-serving presence, and alongside a historic street with which it had a well-established social and reputational connection. It would also have the effect of repairing the historic building frontage to Waterhouse Lane, rectifying the isolation of Castle Buildings in the process, and addressing the over-exposure of the secondary rear elevations and blank gables to the latter. The proposed introduction of a 150 bed hotel on the same alignment would go further towards repairing the Waterhouse Lane frontage, enhancing the altered settings of the Earl de Grey and Castle Buildings in so doing, and in combination, delivering welcome enclosure to the public realm between the application site and the Bonus Arena. This positive physical relationship between the proposed new frontage and the Bonus Arena would also be reflected by a beneficial functional relationship between the hotel and the Arena, with clear potential complementarity for the Earl de Grey and or Castle Buildings, particularly café/restaurant or drinking establishment uses. Furthermore, the proposed layout would funnel pedestrians and cyclists in-between the hotel and the front and side elevations of the Earl de Grey and the proposed outdoor space to the rear, exposing the corner-turning faïence frontage to its best, enhancing appreciation of significance, and bringing footfall directly past the premises via a safe and animated, traffic-free area of public realm.

As recognised by Historic England in their consultation response, should the A63 Castle Street Improvement Scheme not gain approval or be implemented, then these public and heritage benefits would still accrue as a consequence of the proposals described in this application. In this scenario, and in accordance with the NPPF and Local Plan policy, the public benefits offered by the scheme will need to be balanced against the degree of harm to the heritage asset. The two-storey rear range of extensions to the Earl de Grey are not included within the statutory listing, along with the two-storey side extension of 2003. The interior of the building has been removed from the listing also. The elaborate faïence shop front is of significant architectural value, whilst the remainder of the exterior features rendered brickwork with moulded window surrounds, continual cills below, and dentillation to eaves.

Taking into account the reduced extent of the listing, considering the construction and materials of its exterior, and cognisant of similar precedents and available specialist skill-sets, the degree of confidence in the potential to minimise harm to the building during its dismantling, storage, and re-construction is high. However, it is recognised that an updated survey report, method statement, and heritage impact assessment in support of this application are yet to be received, but are currently being compiled. In the absence of this information, it is considered that substantial harm to the building cannot be ruled out, although potentially, the degree of harm may be able to be downgraded in the light of further information on retention and re-building methodology which may confirm that loss of significance can be minimised to a greater extent. Taking this appropriate precautionary approach, it is considered that the substantial public benefits presented by the proposals in isolation, and even more so, in the combination with those predicted from the A63 Castle Street improvement scheme would outweigh the harm caused to the Earl de Grey, as required by paragraph 195 to the NPPF.

This assessment is qualified by the fact that amended plans are awaited which address concerns raised by the Council's Conservation and Urban Design Officers, Historic England, Georgian Group, and Hull Civic Society. As submitted, the proposed plans depict the Earl de Grey being recessed relative to the frontage of Castle Buildings, which appears incongruous

in the context of the historic frontage to Waterhouse Lane, and unduly submissive relative to both Castle Buildings and the proposed hotel frontage. Furthermore, the proposed incursion of both a large stairwell and lift foyer to the primary ground floor interior behind the frontage to the Earl de Grey is considered inappropriate to the historic layout of the building, and diminishing of the mitigation value inherent in the proposed re-construction of the building. Similarly, the chimney stacks scale and design, fenestration details, and design of doors within historic openings, and absence of hanging signage are considered inappropriate as described.

The application also proposes alterations to the grade II listed Castle Buildings. These works involve limited alterations to secondary elevations and would have a minor and acceptable impact upon the significance of the building, subject to conditions pertaining to door and window detailing and internal linings to walls and floors.

The proposed rear link extension conjoining the two listed buildings would appear subservient to the same, and of light character, allowing clear differentiation between historic and contemporary fabric, and retaining views of the historic roofscape of the buildings from the south.

The settings of both Castle Buildings and the Earl de Grey, relocated as proposed in this application would be enhanced by the recreation of the of the historic Waterhouse Lane frontage, and the complementarity that each building would bring to the other within that, given their shared history, comparable scale and compatible architectural detail.

Objections

There have been no objections.

Equalities

Under the Equality Act 2010 S149, the Council has a duty to consider equality issues. A Public Authority must, in the exercise of its functions have due regard to (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (c) foster good relations between people who share a relevant characteristic and persons who do not.

The Equalities Act requires that service providers make reasonable adjustments to their buildings in the interests of delivering equitable access. Approved Document M Volume 2 on Building Regulations for access to and use of buildings other than dwellings, recognises that access to listed buildings should be improved 'where and to the extent that it is practically possible, always provided that the work does not prejudice the character of the historic building, or increase the risk of long-term deterioration to the building fabric or fittings.' BS 8300 on the Design of an Accessible and Inclusive Built Environment identifies that a balanced approach between conserving historic buildings and improving access needs to be taken. It references Historic England's guidance entitled 'Easy Access to Historic Buildings' which in turn recognises that, where main entrances to historic buildings present a barrier to equitable access, 'it may be possible to avoid the feature that creates a barrier by changing the way in which a building is managed, perhaps by providing access via a side route or by opening up a secondary main entrance.'

The existing entrance doors to the frontage of the Earl de Grey feature a historic stone step to each threshold. As submitted the plans show the building set back from the back of footway, and the incorporation of a parallel ramp. At the gradient shown, this ramp would require the installation of a handrail, which would have a detrimental impact upon the significance of the buildings frontage, but in any event, amended plans have been requested which describe the elevation of the public house brought forward to the back edge of footpath to align with the adjacent Castle Buildings, for reasons explained elsewhere in this appraisal. This would remove any scope for introducing a ramp feature to the frontage without compromising safety for the users of the carriageway footpath or the historic frontages of the two buildings. Consequently, it will be necessary to provide a second main entrance to the building to deliver equitable access, with the double doors shown on the eastern elevation to the glazed rear extension offering suitable potential. A condition is recommended to ensure that the openings are managed accordingly.

Existing door openings to Castle Buildings are not proposed to be changed, but the applicant should seek the opportunity to enhance access where possible, perhaps by fixing doors in an opened position when trading and/or introducing automation where feasible and appropriate to do so, subject to confirmation that further listed building consent is not required for such works.

This proposal has been considered against the duty of the Council to consider equality issues. This development is considered to comply with these requirements because appropriate reasonable adjustments have been identified or can be secured by condition for the existing buildings on the site.

Biodiversity

Very recent bat emergence / re-entry survey information has identified that the Earl de Grey site is used as a roost by common pipistrelle. Further survey work is to be undertaken and information submitted which will provide more information on species present, the number of individuals involved, and the type of roost. Subject to appropriate mitigation to be informed by the results of additional survey, and secured through recommended conditions, it is considered that the proposed development is likely to pass the three derogation tests under the Conservation of Habitats and Species Regulations 2010, and is consequently likely to be granted a licence by Natural England.

The proposed development will support broad policy objectives for delivering and supporting economic growth, and establishing the city as a world-class visitor destination. It would serve to enhance the vitality and viability of the city centre, support the operation of the adjacent Bonus Arena for live entertainment and conferencing programmes, and animating and enhancing the pedestrian cycle route from the Transport Interchange and western part of the city centre via the under-construction Princes Quay Bridge to the Fruit Market regeneration area and waterfront beyond. It is projected to deliver 90-120 new jobs, and support the delivery of development allocated within the local plan. The scheme would also realise the refurbishment and re-use of two long vacant listed buildings, one under threat of demolition for highway improvement works, which the proposed sensitive relocation would assist in delivering, the benefits of the latter being substantial indeed, upgrading nationally important infrastructure, improving access to the port and development land in the city, relieving congestion and thereby improving safety and air quality, and improving connectivity between the city centre and its waterfront. It would recreate an historic street frontage to the benefit of

the character of the Old Town Conservation area and an emerging dynamic quarter of the city centre. Consequently, it is considered that there are it is considered that there are substantial imperative reasons of overriding public interest for the proposed development.

The application site comprises brownfield land and vacant listed buildings within the city centre retail core, constitutes a sequentially preferable site for main town centre uses, and is allocated for mixed-use development and supported by a supplementary planning document with which the proposals largely align. The bat roost in question is located on a listed building which has been vacant and subject to deterioration as a consequence, for the most part of approaching two decades. The building is the subject of proposals for its demolition and rebuilding as part of the Castle Street Improvement Scheme Nationally Significant Infrastructure Project which is currently being examined by the Planning Inspectorate. Should the improvement scheme be approved with a Development Consent Order necessitated the relocation of the building, the roost would likely be destroyed and mitigated as part of that process. Should the road scheme not go ahead for any reason, then the building's condition, position fronting onto the trunk road, and solation form complementary development will threaten its long term future. Consequently, it is not considered that there is any satisfactory alternative to the redevelopment of the site which would retain the bat roost in situ.

The conservation significance of the bat roost identified is still to be established, but the survey work undertaken to date identifies that it is in use by a common and widespread species. Given that the building is proposed to be rebuilt on adjacent land, mitigation can be secured by the condition, to recreate the roost as applicable to its scale and type, whilst additional mitigation in the form of bat bricks for single roosts can be integrated into the brick face of the proposed hotel building. It is considered, therefore that the development would not be detrimental to the favourable conservation status of the local bat population. No loss of natural range will occur, nor any reduction in habitat to maintain the local bat population status.

Crime and Disorder

Designing out crime and designing in community safety should be central to the planning and delivery of new development. Section 17 of the Crime and Disorder Act 1998 requires all local authorities to exercise their functions with due regard to their likely effect on crime and disorder, and to do all they reasonably can to prevent crime and disorder.

Given the nature of the proposal it is considered that there would not be, or likely to be, an increase in crime or disorder or the potential for such an increase due to the proposals. On the contrary, a significant degree of additional natural surveillance would be delivered by the scheme.

Conclusion

It is considered that, subject to the receipt of amended plans to be reported via the planning committee update sheet, the development would accord with relevant development plan policy and the requirements of the NPPF, and in the absence of material considerations to the contrary, the application is recommended for conditional approval.

DMPO Article 35 Statement

The local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application in the following way(s):

Engaging in pre-application discussions with the applicants;

Discussing potential solutions with the applicants during the processing of the application;

Held meetings with objectors to see if scheme could be amended to address their objection. Requested additional information from the developer in response to concerns with the proposal

RECOMMENDATION

That the application be approved subject to the following conditions: -

- 1) Det 1D (Development to accord with approved plans)

[insert approved plan numbers here]

- 2) Det 2B (Time limit – Full application)

- 3) DES 1B (Samples of materials)

- 4) DES3B (Surfacing materials)

- 5) DES 4B (Ground levels)

- 6) ENCL 2 (Enclosure Details - optional)

- 7) REFU3C (Storage of Refuse, Scheme)

- 8) MOBI 1C(Access for Persons with a Mobility Impairment)

- 9) Prior to the commencement of any works to the Earl de Grey Public House, a detailed mitigation strategy shall be submitted to, and approved in writing by the Local Planning Authority. The mitigation strategy should include details of timings, appropriate demolition techniques and the temporary and permanent bat roosting features. The strategy should cover the inclusion of bat bricks in the new build hotel and the retention of access points to the roost in the rebuilding of the Earl de Grey. The development shall then proceed only in accordance with the approved details, and the features and bat boxes shall be installed prior to use and thereafter retained unless otherwise agreed in writing by the local planning authority. A pre-commencement condition is required in order to make appropriate provision for protected species within the development and to ensure that mitigation measures are agreed and introduced at an early stage in the interests of environmental protection and to comply with policy 44 of the Local Plan.

- 10) Before commencement of any development on the site, a method statement describing full details of how the Grade II listed Earl de Grey public house shall be:

recorded in situ in to level 4 building recording in accordance with Historic England guidance;

structurally assessed;

dismantled, including an inventory of all building materials to be re-used, and justification for excluding any historic fabric;

stored;

re-constructed;

shall be submitted to and approved in writing by the local planning authority in the interests of the historic environment and in order to comply with Polices 15 and 16 of the Local Plan.

- 11) Before the commencement of its installation, full details of the siting, design, and materials of the proposed noise barrier wall shall be submitted to and approved in writing by the local planning authority. Development shall then take place only in accordance with the approved details, in the interests of the setting of listed buildings, the character of the conservation area, and equitable access, and in order to comply with polices 14, 15, and 16 of the Local Plan.