



Appeal Decision

Site visit made on 19 June 2017

by Jonathan Hockley BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 20 July 2017

Appeal Ref: APP/V2635/W/16/3164157

Hanse House, South Quay, King's Lynn, Norfolk PE30 5GN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr James Lee against King's Lynn and West Norfolk Borough Council.
 - The application Ref 16/01297/F, is dated 8 July 2016.
 - The development proposed is internal alterations to convert parts of the first and second floors into four self contained flats.
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Decision

1. The appeal is dismissed. Planning permission is refused for internal alterations to convert parts of the first and second floors into four self contained flats.

Preliminary Matters

2. Applications were made for planning permission and listed building consent for the same works. I have only the planning appeal before me and so have only dealt with this matter.

Main Issue

3. The main issue in this appeal is whether the proposal would preserve the special architectural or historic interest of the Grade I listed building.

Reasons

4. Hanse House is a quadrangular warehouse and domestic range built as a Hanseatic Steelyard around 1475. The complex consists of 2 long parallel warehouses running roughly east to west. The buildings are connected at the east end by a domestic wing and a shorter warehouse wing to the west, thereby creating the quadrangular shaped building form and the internal steelyard.
5. The House is currently in mixed use, with residential and commercial uses all present. Internally, the buildings have been altered to varying degrees, with recent alterations dating from the buildings present uses and those of the previous occupier, the County Council. However, despite these alterations the building as a whole retains its essential character and form. The special interest and significance of the building derives from its immense historical significance, not only as holding a major role in the history of King's Lynn, but

also as the last surviving steelyard in England as a key monument to the mercantile and political history of England and northern Europe.

6. The Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to be given to the desirability of preserving a listed building and any features of architectural or historic interest it possesses. Policies CS12 of the Core Strategy¹ and DM15 of the Site Allocations Plan² together state that proposals to protect and enhance the Borough's historic environment will be encouraged and supported.
7. The proposal seeks to create 4 flats, with two to be placed in the 1st floor of the southern warehouse (flats 4 & 5) and two in the second floor of the northern warehouse (flats 6 & 7). It is stated that all proposed partitions and fitting/fixture works could be carefully considered so as to ensure they could be removed without detriment to the historic building.
8. Flat 4 would occupy an area previously used as a large reception room for weddings and as such occupies a fairly large open space which seemingly has only been previously altered to allow the provision of some toilets at the eastern end and a curved wall kitchen at the western end. The proposal would remove these partitions and introduce new ones, with a small kitchen at one end and three bedrooms and ancillary bathrooms/toilets at the other end. This would involve a large number of partitions which would significantly denude the existing space which still hints at its former use as a warehouse through its open plan nature.
9. Flat 5 would create a small studio flat in an existing office used as the Hanseatic Office. This element of the building sits in a part of the extended southern warehouse which is newer than the main warehouses. The proposal would not significantly alter the space at this end of the building and would not harm the significance of the heritage asset.
10. Flat 6 would be located in the centre of the northern warehouse, and would involve the conversion of a large conference room into a two bedroom flat. Previous alterations have created a meeting room, kitchen and toilets in this area, and one of the proposed bedrooms and the bathroom would cover a roughly similar area. However, the additional bedroom would encroach into the existing open space to the east further and has the potential to affect the reading of this area as additional warehouse space.
11. Although the adverse effect would be less significant than that caused by the proposed Flat 4, there is little information provided as to the historic significance of the space; a photographic record and non-invasive visual survey of the whole building is provided dating from 2012 but the copy I have been supplied with does not contain significant historical commentary or consideration of the effects of any of the aspects of the proposal. The National Planning Policy Framework (the Framework) states in paragraph 128 that applicants should describe the significance of any heritage assets affected, with the level of detail proportionate to the assets importance. Given the historical importance and the exceptional interest of Hanse House I do not consider that the requirements of this paragraph have been met in this instance.

¹ King's Lynn and West Norfolk Borough Council Local Development Framework – Core Strategy July 2011.

² King's Lynn and West Norfolk Borough Council Site Allocations and Development Management Plan September 2016

12. The Framework also makes it clear that when considering the impact of a proposal on the significance of a listed building, great weight should be given to its conservation. Significance can be harmed or lost through alteration of the heritage asset, and as they are irreplaceable, any harm should require clear and convincing justification. For the reasons given above I consider that the proposed flats 4 & 6 would result in harm being caused to the significance of this listed building. However, as the works would only affect a small part of the building and that conditions could ensure that works were reversible, I am satisfied that the degree of harm caused would be less than substantial.
13. In such situations the harm should be weighed against the public benefits of a proposal, including securing the asset's optimum use. The proposal would bring the rooms into economic use and would result in the benefit of additional housing units for the area. However, I have no evidence of any undersupply in the Borough Council area and I consider that such benefits are insufficient to outweigh the harm caused. Grade I listed buildings are of exceptional interest, with only 2.5% of all listed buildings being of such a grade. The building as the last surviving Hanse house in England is of substantial importance and the Framework emphasises that the more important a heritage asset is, the greater the weight that should be given to the assets' conservation.

Other matters

14. Flat 7 would be created within the western gable ended extension to the northern warehouse, stated to date from around the 17th century. At the time of my site visit this was in use as an office and was an attractive large open space open to the roof structure. The proposal would involve minimal alterations to the space but does propose two roof lights in the northern roof plane. It is difficult for me to comment properly on any harm that such lights may cause as at the time of my visit I was told that this area was to remain as an office with no changes; unfortunately subsequent to my visit I was informed that this element of the proposal remained. However, given my conclusions above considering Flats 4 & 6 it is not necessary for me to consider this matter further.
15. I note the evidence stating that the entertainments licence for the area around the proposed Flat 4 has been withdrawn, and that office use may not be viable for this area. However, whilst I sympathise with the appellant, this does not justify the less than substantial harm that the proposal would cause to the heritage asset.
16. I can appreciate the hard work and investment that the appellant has committed to Hanse House; on my visit I was also shown some examples of sympathetic conversion works in the eastern wing of the building. Whilst I do not doubt therefore the appellants intentions, for the reasons given above I consider that the proposal would cause harm to the special interest of the building.
17. As the site lies within a conservation area, I am required to pay special attention to the desirability of preserving or enhancing the character and appearance of the area, in accordance with Section 72(1) of the Act. However, in this case, as the proposed works are confined to the interior of the building, I am satisfied that the character and appearance of the King's Lynn Conservation Area would be preserved.

Conclusion

18. Whilst I have found that the proposal would preserve the character and appearance of the Conservation Area, this does not alter the harm that would be caused to the grade I listed building by the creation of Flats 4 & 6. Such harm would not be outweighed by the public benefits of the scheme. The proposal would be contrary to the Framework and to Policies CS12 of the Core Strategy and DM15 of the Site Allocations Plan.
19. For the reasons given above I conclude that the appeal should fail, and planning permission be refused.

Jon Hockley

INSPECTOR