



Appeal Decision

Site visit made on 2 July 2024

by C Dillon BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st October 2024

Appeal Ref: APP/U2750/Y/24/3343130

Claro Chambers, 42 High Street, Knaresborough, North Yorkshire HG5 0EQ

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by JRW Property Limited against the decision of North Yorkshire Council.
 - The application Ref is ZC23/02374/LB.
 - The works proposed are described as “change of use to Sui Generis bar/restaurant, listed building consent to internal alterations”.
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Decision

1. The appeal is dismissed and listed building consent is refused.

Preliminary Matters

2. This appeal relates to the refusal of listed building consent for internal and external works related to the use of the ground floor of the Grade II listed Claro Chambers as a bar and restaurant. In accordance with section 16(2) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) I must have special regard to the desirability of preserving this designated heritage asset and its setting, and any features of special architectural or historic interest which it possesses.
3. I sought clarification from the main parties on the agreed list of plans which the Council had based its decision upon and my assessment is based on the subsequent response to this. During my site visit I observed that the ground floor of the building was in use as a bar and restaurant. Furthermore, internal and external works had been undertaken, including the removal of a chimney breast; installation of a suspended ceiling and ventilation equipment; new rear door; application of vinyl to windows; installation of a covered chiller in the rear yard; and the erection of signage to the exterior of the front elevation. I observed that there were some discrepancies between some of those works undertaken and those shown on the submitted plans.
4. Significantly, the scope of my assessment and final determination can relate only to the precise details shown on the submitted plans before me and does not confirm the lawfulness or otherwise of the particular works that have been undertaken to date.

Main Issue

5. The main issue is whether or not the proposed works would preserve Claro Chambers or its setting or any features of special architectural or historic

interest which it possesses. In making my assessment I address each component of the appeal scheme in turn.

Reason

6. The imposing Claro Chambers strongly presides within the High Street of the historic market town of Knaresborough. The special interest features of this mid-19th century building relates to both its architectural and historical value. These are mainly derived from its origins as a bank and offices. The special architectural features of this substantial two storey, ashlar stone property include its round arched sashes with rusticated quoins; flanking bays with sashes and margin lights with stone architraves and cornices; and relief decoration of acanthus leaves. Internally its decorative banking hall ceiling is of significance.
7. A small single storey storage building is proposed to house and provide direct access from the kitchen to a free standing chiller unit. This component of the appeal proposal would be linked to a flat roofed single storey brick extension which is a 20th century addition to the former bank. It would occupy a part of the rear yard between the host property and neighbouring The Coach House. The proposed storage building would be visible from the access to neighbouring dwellings which runs through the car park and service yard area to the rear of Claro Chambers.
8. By virtue of the proposed materiality and form, this component of the appeal scheme would be a contrived and inconsistent design solution which would represent an unsympathetic addition. It would undermine the integrity of the design of the relatively uncompromised rear elevation of Claro Chambers and would be read as a further unsympathetic extension to the former bank in both architectural and historic terms.
9. Internally, the appeal scheme involves the conversion of 2 rooms to the rear of the building into a single open dining area through the removal of a chimney breast. The chimney breast was no longer in situ at the time of my visit. This element of the scheme represents the loss of historic fabric and a significant change to the historic cellular form of the ground floor of this building which is consistent with its originally intended use.
10. I noted that there is a discrepancy between these works and the submitted plans in so far as they show the retention of a nib where that historic feature joined the rear wall. Furthermore, no details have been submitted to this appeal to demonstrate that the remainder of the chimney above and other associated historic fabric of the building would not be structurally compromised.
11. Consequently, there is insufficient detail before me to demonstrate that this component of the submitted appeal scheme would not be harmful to the historic and architectural significance of Claro Chambers.
12. The appeal scheme involves the installation of a suspended ceiling within the lobby, main banking hall and vaulted safe to accommodate lighting and an internal ventilation system. During my site visit I observed that a suspended metal structure accommodating internal lighting and galvanised ventilation pipes was in situ throughout the ground floor of the appeal property, including over the banking hall and vaulted safe areas. However, the submitted details

do not reflect those particular works. Furthermore, they do not clearly show the proposed design, purpose, appearance, positioning and fixings for the proposed suspended ceiling and internal ventilation.

13. The decorative cornicing and panelling of the former banking hall ceiling and the arched form of the vaulted safe are key historic and architectural aspects that convey the grandeur, formality and importance of the banking use of the appeal building and contribute immensely to its historic and architectural significance.
14. There is insufficient detail before me to demonstrate that this component of the appeal scheme would not be harmful to the historic and architectural and significance of Claro Chambers. Irrespective of this, I am in no doubt that the principle of overlaying these ceilings with a suspended ceiling structure would severely interrupt the ability to experience the splendour and bespoke attributes of these important ceilings, aside from any physical harm to the historic fabric of the building caused by the method of installation and fixing.
15. The appeal scheme includes the application of a mix of reflective and opaque vinyl to existing ground floor glazed window panes to the front and rear of the property. During my site visit I observed that these measures had already been undertaken. The appeal submission before me does not clearly articulate the rationale for these measures and it is not for me to make any presumptions.
16. The windows in question are integral to the historic fabric and architectural qualities of Claro Chambers. The application which has taken place restricted my assessment of the vintage of the glazing. The proposed measures may well be reversible. However, aside from covering historic fabric, the mirrored film gives rise to a high level of reflection which significantly distracts from how the building would otherwise be experienced as a whole. The use of dark opaque film on the rear window is an overly harsh, contrived, unsympathetic treatment which distracts from the appreciation of the remaining traditional sliding sash window feature in the dining area.
17. In summary, I find that each of these components of the submitted appeal scheme would cause less than substantial harm to the architectural significance of this designated heritage asset.
18. The appeal scheme also includes a circular projecting sign and a single circular sign centred between the upper section of two of the ground floor arched windows of the front elevation of the appeal building. From the submitted details it is unclear as to the nature and extent of any illumination of these.
19. However, by virtue of their respective scale and dimensions, the proposed signage would not be overly domineering on the front face of the building. They would be of a simple design. Furthermore, each sign would be of a size and location which would not cover, intersect or compete with the important architectural detailing and fenestration of the building.
20. Subject to a condition to manage the intensity of any internal illumination, these components of the appeal proposal would have a neutral effect on the significance of this listed building.
21. The acceptability of this particular component in terms of its conformity with the Act and Framework does not outweigh the harm that I have found in respect to the other components of the proposed scheme as submitted.

22. Having special regard to the desirability of preserving the setting of the listed building and features of special architectural or historic interest which it possesses these detrimental components, as submitted, would not meet the provisions of the Act but would be harmful to those of Claro Chambers.
23. In line with paragraph 205 of the Framework, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
24. Securing the optimum viable use of this designated heritage asset is a public benefit of this scheme. However, the appellant has provided no justification to substantiate the works in this regard. Therefore, I give limited weight to this benefit. In the context of paragraph 208 of the Framework, no other public benefits are apparent. I afford considerable importance and weight to the identified harm to this listed building. Overall, I find that the public benefit does not outweigh the heritage harms that would arise. Therefore, those harms are unjustified, and the appeal proposal does not accord with paragraph 206 of the Framework.
25. Consequently, I have found that none of the harmful components of the submitted appeal scheme would preserve features of special architectural or historic interest of the Grade II listed Claro Chambers and there are no compelling public benefits which would outweigh those harms in either individual or collective terms.
26. In view of my findings on heritage harm to the appeal building itself, it serves no purpose in me assessing the effect on neighbouring Grade II listed Nos 35 and 40 High Street.

Conclusion

27. Overall, the proposed scheme would cause unjustified harm to the special interests of Grade II listed Claro Chambers, in conflict with the Act and the Framework. For the reasons set out above and, having had regard to all matters raised, I conclude that this appeal should be dismissed.

C Dillon

INSPECTOR