

BUILT HERITAGE STATEMENT

Land at Masonic Hall, Duncombe Place, York

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Land at Masonic Hall,
Duncombe Place, York
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EXECUTIVE SUMMARY

This Built Heritage Statement has been prepared by RPS on behalf of the HRH Hotel Group. It addresses built heritage considerations to support planning and Listed Building Consent applications for the widening of an existing gated access within a wall located at the Masonic Hall, Duncombe Place, York.

The nature of the works reflect the previously approved applications for works to the wall (refs: 12/02886/FUL & 12/03588/FUL).

The report identifies and provides a description of the built heritage assets potentially affected by the proposed development and addresses the information requirements of Government's National Planning Policy Framework and the Council's 'Local Plan' in relation to built heritage.

The listed status of the wall itself has not been definitively established, but on a precautionary basis it has been treated and assessed as a Listed Building in this report; it is physically connected to both the Masonic Hall (Grade II Listed Building, NHLE: 1257873) and 23 High Petergate (Grade I Listed Building, NHLE: 1257607). The site is also located within the York Central Historic Core Conservation Area (designated 1968). The works therefore have the potential to directly affect the significance of these heritage assets.

The site is located within the vicinity of a large number of highly graded (i.e. Grade I and Grade II*) Listed Buildings. Whilst there will be varying degrees of inter-visibility between the site and these Listed Buildings, the proposed works to the wall are minor and have been designed to be in-keeping with the present townscape setting of the surrounding Listed Buildings. The scheme will therefore have no impact on the significance of any Listed Building through changes within their settings.

This report has established that the intrinsic heritage significance of the wall is low and it comprises a negligible element of the overall heritage significance of the Masonic Hall, 23 High Petergate and the Conservation Area.

The proposed works will result in a very limited loss of historic fabric (140mm) from the widening of the existing opening. This will not affect the legibility of the wall or have a material impact on its present character. The existing gate is also of no historic value and the replacement gate has been designed to reflect the design of the gates already in-situ within the wall, maintaining its existing appearance. As such, the heritage significance of the wall will not be affected, nor its negligible contribution to the significance of the Masonic Hall or 23 High Petergate. The character and appearance of the Conservation Area will also be preserved.

The proposed works to the wall will therefore not cause harm to the significance of any built heritage asset; the scheme is in accordance with the statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990 and conforms to the requirements of the NPPF and local planning policy with regard to built heritage.

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1 INTRODUCTION

- 1.1 This Built Heritage Statement has been prepared by RPS on behalf of the HRH Hotel Group. It addresses built heritage considerations to support planning and Listed Building Consent applications for the widening of an existing gated access within a wall located at the Masonic Hall, Duncombe Place, York (hereafter also referred to as the 'Site').
- 1.2 The nature of the works reflects the previously approved applications for works to the wall (refs: 12/02886/FUL & 12/03588/FUL).
- 1.3 The Site comprises a c.30m section of wall which is centred at National Grid Reference SE 6022 5210 (Figure 1).
- 1.4 The listed status of the wall itself has not been definitively established, but on a precautionary basis it has been treated and assessed as a Listed Building in this report. The wall is presently in the ownership of the Masonic Hall (Grade II Listed Building, NHLE: 1257873) which adjoins the south-western end of the wall. Some or all of the wall may form part of the listing for the Masonic Hall and/or Number 23 and attached Garden Wall and Outbuilding (referred to as '23 High Petergate', Grade I Listed Building, NHLE: 1257607) which adjoins the north-eastern end of the wall.
- 1.5 This report makes reference to the relevant legislation contained within the Planning (Listed Buildings and Conservation Areas) Act 1990 and both national and local planning policy. In addition relevant Historic England guidance notably The Setting of Heritage Assets (Historic England 2017) and Conservation Principles (Historic England 2008) has been consulted to inform the judgements made.
- 1.6 Relevant information, including the listing citations for the relevant heritage assets have also been consulted in preparing this Built Heritage Statement. The conclusions reached in this report are the result of detailed historic research, a walkover survey of the Site and publicly accessible locations in the surrounding area, map studies and the application of professional judgement.
- 1.7 Site visits were undertaken on 4th March 2021 and 15th April 2021 in good weather conditions. It was only possible to view the north-western elevation of the wall due to the ground conditions within the area to the south-east.
- 1.8 The findings of this report are based on the known conditions at the time of writing. All maps, plans and photographs are for illustrative purposes only.

2 LEGISLATIVE AND PLANNING POLICY FRAMEWORK

- 2.1 The current national legislative and planning policy system identifies, through the National Planning Policy Framework (NPPF), that applicants should consider the potential impact of development upon 'heritage assets'. This term includes: designated heritage assets which possess a statutory designation (for example listed buildings and conservation areas); and non-designated heritage assets, typically compiled by Local Planning Authorities (LPAs) and incorporated into a Local List or recorded on the Historic Environment Record.

Legislation

- 2.2 Where any development may affect certain designated heritage assets, there is a legislative framework to ensure proposed works are developed and considered with due regard to their impact on the historic environment. This extends from primary legislation under the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 2.3 The relevant legislation in this case extends from section 66 of the 1990 Act which states that special regard must be given by the decision maker, in the exercise of planning functions, to the desirability of preserving or enhancing listed buildings and their setting.
- 2.4 The meaning and effect of these duties have been considered by the courts in recent cases, including the Court of Appeal's decision in relation to Barnwell Manor Wind Energy Ltd v East Northamptonshire District Council [2014] EWCA Civ 137.
- 2.5 The Court agreed within the High Court's judgement that Parliament's intention in enacting section 66(1) was that decision makers should give '*considerable importance and weight*' to the desirability of preserving (i.e. keeping from harm) the setting of listed buildings.
- 2.6 Section 69(1) of the Act requires LPAs to 'determine areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance' and to designate them as conservation areas. Section 69(2) requires LPAs to review and, where necessary, amend those areas 'from time to time'.
- 2.7 For development within a conservation area section 72 of the Act requires the decision maker to pay '*special attention [...] to the desirability of preserving or enhancing the character or appearance of that area*'. The duty to give special attention is considered commensurate with that under section 66(1) to give special regard, meaning that the decision maker must give considerable importance and weight to any such harm in the planning balance.

National Planning Policy

National Planning Policy Framework (Ministry of Housing, Communities and Local Government, July 2021)

- 2.8 The NPPF is the principal document that sets out the Government's planning policies for England and how these are expected to be applied.
- 2.9 It defines a heritage asset as a: '*building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest*'. This includes both designated and non-designated heritage assets.
- 2.10 Section 16: Conserving and Enhancing the Historic Environment relates to the conservation of heritage assets in the production of local plans and decision taking. It emphasises that heritage

assets are ‘*an irreplaceable resource, and should be conserved in a manner appropriate to their significance*’.

- 2.11 For proposals that have the potential to affect the significance of a heritage asset, paragraph 194 requires applicants to identify and describe the significance of any heritage assets that may be affected, including any contribution made by their setting. The level of detail provided should be proportionate to the significance of the heritage assets affected. This is supported by paragraph 195, which requires LPAs to take this assessment into account when considering applications.
- 2.12 Under ‘*Considering potential impacts*’ paragraph 199 states that ‘*great weight*’ should be given to the conservation of designated heritage assets, irrespective of whether any potential impact equates to total loss, substantial harm or less than substantial harm to the significance of the heritage assets.
- 2.13 Paragraph 201 states that where a development will result in substantial harm to, or total loss of, the significance of a designated heritage asset, permission should be refused, unless this harm is necessary to achieve substantial public benefits, or a number of criteria are met. Where less than substantial harm is identified paragraph 202 requires this harm to be weighed against the public benefits of the proposed development.
- 2.14 Paragraph 203 states that where an application will affect the significance of a non-designated heritage asset, a balanced judgement is required, having regard to the scale of harm or loss and the significance of the heritage asset.
- 2.15 Paragraph 206 notes that local planning authorities should look for opportunities for new development within conservation areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. It also states that proposals that preserve those elements of the setting that make a positive contribution to, or better reveal the significance of, the asset should be treated favourably.
- 2.16 Furthermore, paragraph 207 states that not all elements of a conservation area or World Heritage Site will necessarily contribute to its significance. When determining the impacts arising from the loss of a building or element that does positively contribute, consideration should be given to the relative significance of that building and the impact to the significance of the conservation area or World Heritage Site as a whole.

Planning Practice Guidance (DCLG)

- 2.17 The Planning Practice Guidance (PPG) has been adopted in order to aid the application of the NPPF. It reiterates that conservation of heritage assets in a manner appropriate to their significance is a core planning principle.
- 2.18 The PPG defines the different heritage interests as follows:
- archaeological interest: As defined in the Glossary to the National Planning Policy Framework, there will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.
 - architectural and artistic interest: These are interests in the design and general aesthetics of a place. They can arise from conscious design or fortuitously from the way the heritage asset has evolved. More specifically, architectural interest is an interest in the art or science of the design, construction, craftsmanship and decoration of buildings and structures of all types. Artistic interest is an interest in other human creative skill, like sculpture.
 - historic interest: An interest in past lives and events (including pre-historic). Heritage assets can illustrate or be associated with them. Heritage assets with historic interest not only provide a material record of our nation’s history, but can also provide meaning for communities derived from their collective experience of a place and can symbolise wider values such as faith and cultural identity.

- 2.19 Key elements of the guidance relate to assessing harm. It states that substantial harm is a high bar that may not arise in many cases and that while the level of harm will be at the discretion of the decision maker, generally substantial harm is a high test that will only arise where a development seriously affects a key element of an asset's special interest. It is the degree of harm, rather than the scale of development, that is to be assessed.

Overview: Historic Environment Good Practice Advice in Planning

- 2.20 Historic England have published a series of documents to advise applicants, owners, decision-takers and other stakeholders on managing change within the historic environment. These include Historic Environment Good Practice Advice in Planning (GPAs) documents and Historic England Advice Notes (HEANS).

GPA2: Managing Significance in Decision-Taking in the Historic Environment (March 2015)

- 2.21 This document provides advice on numerous ways in which decision making in the historic environment could be undertaken, emphasising that the first step for all applicants is to understand the significance of any affected heritage asset and the contribution of its setting to that significance. In line with the NPPF and PPG, the document states that early engagement and expert advice in considering and assessing the significance of heritage assets is encouraged. The advice suggests a structured, staged approach to the assembly and analysis of relevant information:

1. Understand the significance of the affected assets;
2. Understand the impact of the proposal on that significance;
3. Avoid, minimise and mitigate impact in a way that meets the objectives of the NPPF;
4. Look for opportunities to better reveal or enhance significance;
5. Justify any harmful impacts in terms of the sustainable development objective of conserving significance balanced with the need for change; and
6. Offset negative impacts to significance by enhancing others through recording, disseminating and archiving archaeological and historical interest of the important elements of the heritage assets affected.

GPA3: The Setting of Heritage Assets (Second Edition; December 2017)

- 2.22 This advice note focuses on the management of change within the setting of heritage assets. This document replaces GPA3: The Setting of Heritage Assets (March 2017) and Seeing History in the View (English Heritage, 2011) in order to aid practitioners with the implementation of national legislation, policies and guidance relating to the setting of heritage assets found in the 1990 Act, the NPPF and PPG. The guidance is largely a continuation of the philosophy and approach of the 2011 and 2015 documents and does not present a divergence in either the definition of setting or the way in which it should be assessed.
- 2.23 As with the NPPF the document defines setting as *'the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve'*. Setting is also described as being a separate term to curtilage, character and context. The guidance emphasises that setting is not a heritage asset, nor a heritage designation, and that its importance lies in what it contributes to the significance of the heritage asset, or the ability to appreciate that significance. It also states that elements of setting may make a positive, negative or neutral contribution to the significance of the heritage asset.

- 2.24 While setting is largely a visual term, with views considered to be an important consideration in any assessment of the contribution that setting makes to the significance of an asset, and thus the way in which an asset is experienced, setting also encompasses other environmental factors including noise, vibration and odour. Historical and cultural associations may also form part of the asset's setting, which can inform or enhance the significance of a heritage asset.
- 2.25 This document provides guidance on practical and proportionate decision making with regards to the management of change within the setting of heritage assets. It is stated that the protection of the setting of a heritage asset need not prevent change and that decisions relating to such issues need to be based on the nature, extent and level of the significance of a heritage asset, further weighing up the potential public benefits associated with the proposals. It is further stated that changes within the setting of a heritage asset may have positive or neutral effects.
- 2.26 The document also states that the contribution made to the significance of heritage assets by their settings will vary depending on the nature of the heritage asset and its setting, and that different heritage assets may have different abilities to accommodate change without harming their significance. Setting should, therefore, be assessed on a case-by-case basis.
- 2.27 Historic England recommends using a series of detailed steps in order to assess the potential effects of a proposed development on significance of a heritage asset. The 5-step process is as follows:
1. Identify which heritage assets and their settings are affected;
 2. Assess the degree to which these settings and views make a contribution to the significance of a heritage asset(s) or allow significance to be appreciated;
 3. Assess the effects of the proposed development, whether beneficial or harmful, on the significance or on the ability to appreciate it;
 4. Explore ways to maximise enhancement and avoid or minimise harm; and
 5. Make and document the decision and monitor outcomes.

HEAN12: Statements of Heritage Significance: Analysing Significance in Heritage Assets (October 2019)

- 2.28 This advice note provides information on how to assess the significance of a heritage asset. It also explores how this should be used as part of a staged approach to decision-making in which assessing significance precedes designing the proposal(s).
- 2.29 Historic England notes that the first stage in identifying the significance of a heritage asset is by understanding its form and history. This includes the historical development, an analysis of its surviving fabric and an analysis of the setting, including the contribution setting makes to the significance of a heritage asset.
- 2.30 To assess the significance of the heritage asset, Historic England advise to describe various interests. These follow the heritage interest identified in the NPPF and PPG and are: archaeological interest, architectural interest, artistic interest and historic interest.

Local Planning Policy

- 2.31 In considering any planning application for development, the City of York will be mindful of the framework set by government policy, in this instance the NPPF, by current Development Plan Policy and by other material considerations.
- 2.32 The City of York's Local Plan is led by the City of York Draft Local Plan Incorporating the 4th set of changes – Development Control Local Plan (adopted April 2005). A new Local Plan was submitted for Independent Review in 25 May 2018 but the timeframe for adoption of the document remains unclear.

2.33 The Local Plan policies relevant to the Site in respect of built heritage are copied below; some text has been omitted (“[...]”) in order to focus on the heritage-related policy content.

City of York Draft Local Plan Incorporating the 4th set of changes – Development Control Local Plan (Approved April 2005)

SP3 Safeguarding the Historic Character and Setting of York

A high priority will be given to the protection of the historic character and setting of York. When considering planning applications, the Council will apply the following principles:

- a) The protection of key historic townscape features, particularly in the City Centre, that contribute to the unique historic character and setting of the City.*
- b) The protection of the Minster’s dominance, at a distance, on the York skyline and City Centre roofscape.*
- c) The protection of the environmental assets and landscape features which enhance the historic character and setting of the City. These comprise the river corridors and the green wedges, both existing and extended. They also include areas of open countryside, which provide an impression of a historic city, such as locations which allow good views of the Minster or an urban edge including a Conservation area, and views into the City from a number of main transport routes.*

d) [...]

GP1: Design

Development proposals will be expected to:

- a) respect or enhance the local environment;*
- b) be of a density, layout, scale, mass and design that is compatible with neighbouring buildings, spaces and the character of the area, using appropriate building materials;*
- c) [...]*
- d) [...]*
- e) retain, enhance and/or create urban spaces, public views, skyline, landmarks, the rural character and setting of villages and other townscape features which make a significant contribution to the character of the area, and take opportunities to reveal such features to public view;*

f) – l) [...]

GP18: External Attachments to Buildings

Where planning permission or listed building consent is required for external attachments to buildings, such as security alarms, CCTV cameras, light fittings and roller blinds, permission will be granted where their design, location, materials and colouring do not significantly detract from the visual appearance of the building or the visual amenity of the area, or the character and appearance of conservation areas.

GP21: Advertisements

Where advertisement consent is required, it will be granted for signs, hoardings and large advertising panels where their size, design, materials, colouring and any form of illumination does not detract from the visual amenity of the areas in which they are displayed, particularly with regard to the character of listed buildings or conservation areas, and

- a) there is no adverse effect on public safety, and*
- b) in residential areas and on sites clearly visible from roads, the advertisement is in keeping with the scale of surrounding buildings and public areas.*

HE2: Development in Historic Locations

Within or adjoining conservation areas, and in locations which affect the setting of listed buildings, scheduled monuments or nationally important archaeological remains (whether scheduled or not), development proposals must respect adjacent buildings, open spaces, landmarks and settings and have regard to local scale, proportion, detail and materials.

Proposals will be required to maintain or enhance existing urban spaces, views, landmarks, and other townscape elements, which contribute to the character or appearance of the area.

HE3: Conservation Areas

Within conservation areas, proposals for the following types of development will only be permitted where there is no adverse effect on the character and appearance of the area:

- *demolition of a building (whether listed or not);*
- *external alterations;*
- *changes of use which are likely to generate environmental or traffic problems.*

Applications for development in conservation areas will only be considered if full design details are included.

HE4: Listed Buildings

With regard to listed buildings, consent will only be granted for the following types of development where there is no adverse effect on the character, appearance or setting of the building:

- *development in the immediate vicinity of listed buildings;*
- *demolition;*
- *internal or external alterations;*
- *change of use;*
- *erection of satellite antenna*

HE5: Demolition of Listed Buildings and Buildings in Conservation Areas

Listed building consent and/or conservation area consent will not be granted for the demolition of listed buildings or buildings which positively contribute to the character or appearance of conservation areas. Where exceptionally demolition or partial demolition is permitted, no demolition shall take place until a building contract for the carrying out of works of redevelopment has been made and planning permission for those works has been granted.

HE8: Advertisements in Historic Locations

Within conservation areas, or on listed buildings, advertisements will be expected to comply with policy GP21 and consist of:

a) a design and scale that respects the character and appearance of the area;

and

b) good quality materials that are sympathetic to the surface to which they are attached.

Within conservation areas externally illuminated advertisements that require large light fittings will not be permitted.

YC4: Design of York Central Development

Planning permission will only be granted at York Central for proposals, which incorporate both high standards of design and good quality materials, reflecting the location of the site in close proximity to the historic city centre, and its need to attract premier type development.

2.34 The policies relevant to built heritage in the emerging Local Plan are copied below – these have been taken from the ‘Local Plan – Publication Draft February 2018 (Regulation 19 Consultation)’ (2018).

Local Plan – Publication Draft February 2018 (Regulation 19 Consultation) (2018)

Policy D1: Placemaking

Development proposals will be supported where they improve poor existing urban and natural environments, enhance York’s special qualities and better reveal the significances of the historic environment. Development proposals that fail to take account of York’s special qualities, fail to make a positive design contribution to the city, or cause damage to the character and quality of an area will be refused.

Development proposals should adhere to the following detailed design points:

[i. – iii. omitted]

iv. Building Heights and Views

- *Respect York’s skyline by ensuring that development does not challenge the visual dominance of the Minster or the city centre roofscape.*
- *Respect and enhance views of landmark buildings and important vistas.*

[v. omitted]

Policy D4: Conservation Areas

Development proposals within or affecting the setting of a conservation area will be supported where they:

i. are designed to preserve or enhance the special character and appearance of the conservation area and would enhance or better reveal its significance;

ii. respect important views; and

iii. are accompanied by an appropriate evidence based assessment of the conservation area’s special qualities, proportionate to the size and impact of the development and sufficient to ensure that impacts of the proposals are clearly understood.

Outline planning applications for development within or affecting the setting of conservation areas will only be supported if full design details are included, sufficient to show the likely impact of the proposals upon the significance of the Conservation Area.

Changes of use will be supported when it has been demonstrated that the primary uses of the building can no longer be sustained, where the proposed new use would not significantly harm the special qualities and significance of the Conservation Area.

Harm to buildings, open spaces, trees, views or other elements which make a positive contribution to a Conservation Area will be permitted only where this is outweighed by the public benefits of the proposal. Substantial harm or total loss to the significance of a Conservation Area will be permitted only where it can be demonstrated that the proposal would bring substantial public benefits.

Policy D5: Listed Buildings

Proposals affecting a Listed Building or its setting will be supported where they:

i. preserve, enhance or better reveal those elements which contribute to the significance of the building or its setting. The more important the building, the greater the weight that will be given to its conservation; and

ii. help secure a sustainable future for a building at risk;

iii. are accompanied by an appropriate, evidenced based heritage statement, assessing the significance of the building.

Changes of use will be supported where it has been demonstrated that the original use of the building is no longer viable and where the proposed new use would not harm its significance.

Harm to an element which contributes to the significance of a Listed Building or its setting will be permitted only where this is outweighed by the public benefits of the proposal. Substantial harm or total loss of a Listed Building will be permitted only where it can be demonstrated that the proposal would bring substantial public benefits.

Adopted Guidance

- 2.35 The 'York Central Historic Core Conservation Area Appraisal' (adopted 2011) provides an overview of the distinctive character and appearance of the Conservation Areas with regard to its built form and spatial qualities. The Site forms the boundary between Character Area 9 – The Minster Precinct and Character Area 10 – The Medieval Streets.

3 HISTORIC BUILT ENVIRONMENT APPRAISAL

Introduction

- 3.1 The Site is located within York city centre to the south-western side of High Petergate and south-east of Duncombe Place (Figure 1). It comprises the linear brick wall which extends between 23 High Petergate to the north-east and the Masonic Hall to the south-west, and encloses an area of overgrown open space to the south-east, the other boundaries of which are formed by the surrounding buildings (Plates 1 & 2).
- 3.2 There are currently two openings within the wall; one which provides access to the rear yard at 23 High Petergate and the other is the only access for the open space to the south-east. These openings are secured by timber gates. Notwithstanding a number of alterations over time (including the insertion of a section of railings opposite 23 High Petergate), it is likely that the wall was built in one phase in the late-nineteenth century (discussed below).

Historic Development

- 3.3 This Section of the Statement provides an overview of the historic development of the Site and the surrounding area through a map regression exercise and a review of online and in-house resources.
- 3.4 The 1852 Ordnance Survey Historical Town Plan (Figure 3) is the earliest consulted mapping for this report. At this time the built form along the frontages of High Petergate and Blake Street (now Duncombe Place) continued beyond the Site to the north-west. To the south-east of the Site is 'Watson's Court' (?), a small linear street which continues to the south-east where it connects with Stonegate. The built form along the north-eastern side of Watson's Court appears to be divided into smaller structures likely to have been used as small residential dwellings.
- 3.5 The 1891 Historical Town Plan (Figure 4) shows that the buildings to the north-west of the Site had been demolished by this time and the Site now forms the south-eastern boundary of the open garden area where an area of planting is located along its north-western side.
- 3.6 These alterations to Duncombe Place (previously Blake Street) had been discussed in 1830, with the 'Project for a New Street' intended to open up views of the west end of the Minster and the Assembly Rooms¹. This described that the entrance in Petergate would be between the house occupied by Mr Noke (resident at No. 23 c.1822 - 1854) and Mr Elston. These works were undertaken in the 1860s and included the widening of Blake Street to form Duncombe Place (named after Augustus Duncombe, the Dean of York) and the creation of the garden adjacent to the Site. It is likely the wall was built as part of these works.
- 3.7 There are no material changes to the wall itself throughout the twentieth and twenty-first centuries (Figure 5-8). It is not clear when the two gates were added and the insertion of the railings was undertaken at the turn of the twentieth century contemporary with the extension of 23 High Petergate. Notable changes within the vicinity of the Site during this time include the construction of the South African War Memorial in 1905 (Figure 5) and the demolition of the buildings and street to the south-east of the Site by 1961-62 (Figure 6) which led to the formation of the present broadly rectangular enclosure in this location.
- 3.8 The 2020 Google Earth image (Figure 9) shows the Site and the surrounding area as it is presently understood today.

¹ 'Project for A New Street' *Yorkshire Gazette* – Saturday 3rd April 1830, pp. 2-4. British Newspaper Archive.

Identification of Heritage Assets

Within the Site

- 3.9 The Site comprises a c.30m section of wall (Figure 2). The listed status of the wall (referred to as 'Wall at Masonic Hall') has not been definitively established, but on a precautionary basis it will be treated and assessed as a Listed Building in this report. The wall is presently in the ownership of the Masonic Hall (Grade II Listed Building, NHLE: 1257873) which adjoins the south-western end of the wall. Some or all of the wall may form part of the listing for the Masonic Hall and/or Number 23 and attached Garden Wall and Outbuilding (referred to as '23 High Petergate', Grade I Listed Building, NHLE: 1257607) which adjoins the north-eastern end of the wall.
- 3.10 As such, the works to the wall have the potential to affect the heritage significance of the wall and further assessment is required in Section 4. This assessment will also consider the potential impact on the Masonic Hall and 23 High Petergate.
- 3.11 The Site is also wholly located within the York Central Historic Core Conservation Area (designated 1968) (Figure 2). The works therefore have the potential to also directly affect the significance of the character and appearance of the Conservation Area; this will be considered further in Section 4.

Within the Search Area

- 3.12 The designated built heritage assets located within a 100m search area of the Site are shown on Figure 2. This search area is considered to be proportionate and reasonable given the nature of the proposed works.
- 3.13 Figure 2 shows a high number of Listed Buildings within the immediate vicinity of the Site; these include the adjacent Youngs Hotel (now 'Guy Fawkes Inn', Grade II* Listed Building, NHLE: 1257610), the Cottage attached at rear of Number 25 (Grade II Listed Building, NHLE: 1257611) and to the south-west the Masonic Hall (Grade II Listed Building, NHLE: 125783). York Minster (Grade I Listed Building, NHLE: 1257222) and the Church of St Michael le Belfrey (Grade I Listed Building, NHLE: 1257228) are also inter-visible with the Site to the north-east. The South African War Memorial (Grade II* Listed Building, NHLE: 1257874) is also located to the north-west of the Site.
- 3.14 The high concentration of highly graded assets within the immediate surroundings of the Site is typical of the unique and distinctive heritage of York's city centre. The buildings and spaces within the Site form part of the general historic townscape setting of these Listed Buildings and share varying degrees of intervisibility with them. As the proposed works to the wall within the Site are minor and have been designed to reflect the character of the present settings of these Listed Buildings, there will be no impact on the significance of any Listed Building through changes within their settings.

4 ASSESSMENT OF SIGNIFICANCE AND NATURE OF IMPACT

- 4.1 Paragraph 189 of the NPPF outlines the requirements for an applicant to describe the significance of heritage assets affected by the proposed development, and states that the level of detail supplied by an applicant should be proportionate to the importance of the asset and should be no more than sufficient to review the potential impact of the proposal upon the significance of that asset.
- 4.2 This Built Heritage Statement has identified the following built heritage assets as being potentially affected by the proposed development:
- **Wall at Masonic Hall** (Listed Building); and
 - **York Central Historic Core Conservation Area** (designated 1968).
- 4.3 This Section describes the significance of these built heritage assets and assesses the nature of any impact resulting from the proposed development. The full listing description for the Masonic Hall and 23 High Petergate is included at Appendix A.

Proposed Development

- 4.4 The works to the wall comprise the widening of an existing opening to allow access to the area of open space to the south. This opening is the only means of accessing this area at present which is heavily overgrown with Japanese Knotweed. This section should be read in conjunction with the accompanying plans and Planning Statement which sets out the justification for the works.
- 4.5 To summarise the proposed works, the present opening is 1160mm wide and contains a painted timber gate. It is proposed to widen the existing access by 140mm to the left-hand side, creating an opening 1300mm wide; this is consistent with the size of opening allowed under the previously consented applications. A new timber gate will also be installed; this is consistent with the design and appearance of the existing gate to this opening and the gate to 23 High Petergate.

Assessment of Significance

Wall at Masonic Hall. Listed Building.

- 4.6 As wall may form part of the listing for the Masonic Hall (Grade II Listed Building, NHLE: 1257873) and/or 23 High Petergate (Grade I Listed Building, NHLE: 1257607), the heritage significance of these Listed Buildings and the potential impact from the scheme on these Listed Buildings will also be considered as part of this assessment.

Summary of Significance

- 4.7 The wall is built in brick and is topped with coping stones. It is likely to date from the late-nineteenth century when the works to Duncombe Place were carried out. The wall is functional rather than decorative in appearance and was built to enclose the public gardens to the north-west and private spaces to the south-east. The only embellishments to the wall comprise a section of railings with piers to either side which were added when the extension to 23 High Petergate was built at the turn of the twentieth century. It is not clear when the two openings were created and the gates themselves are of no historic or architectural interest.
- 4.8 The wall extends between 23 High Petergate to the north-east and the twentieth century extension to the Masonic Hall to the south-west. The significance of the Masonic Hall is attributed to its historic and architectural values as the mid-nineteenth century ceremonial and administrative headquarters of the York Lodge; the building was later extended in the early-twentieth century. Both the external

appearance and interior spaces of the Masonic Hall incorporate symbolic and classical elements reflecting the history and beliefs of the organisation. There is also a degree of communal value in respect of its continued use

- 4.9 The significance of 23 High Petergate relates to its historic and architectural interest as an example of a late-eighteenth century townhouse built for the emerging wealthy merchant classes. In this respect, it demonstrates the changing social and domestic attitudes of the period with the high architectural quality of the front elevation and the impressive staircase and dome to the interior embodying the aspirations and status of its original owner, Robert Thornton. The use of 23 High Petergate as a place of entertainment was continued by its later owners who built the extension to the rear at the turn of the twentieth century to provide a formal dining area and ancillary spaces. The alterations to the wall at that time provide some understanding of the owner's design intention for the entertaining space, with the wall altered to provide light to the dining room.
- 4.10 Both 23 High Petergate and the original element of the Masonic Hall pre-date the construction of the wall and it is not clear when the Site and the open area to the south was acquired by the Masonic Hall. As such, it is not considered that the wall forms part of any part of the original design for either Listed Building but it has some value in demarcating the extent of the historic plots from the mid-nineteenth century.
- 4.11 The heritage significance of the wall is therefore considered to relate to its historic interest as a mid-nineteenth century boundary wall which enclosed the building plots behind and formed part of the public works to Duncombe Place. Whilst its present patina adds to the character of the wall, the wall is not considered to be of any architectural interest. The north-eastern section does have some architectural interest in respect of the alterations made in conjunction with the extension to 23 High Petergate, but this is considered to be low.
- 4.12 As such, the intrinsic heritage significance of the wall is considered to be of low and it comprises a negligible element of the overall heritage significance of the Masonic Hall and 23 High Petergate. This is in relation to understanding the extent of their respective plots from the mid-nineteenth and early-twentieth century.

Setting

- 4.13 The setting of the wall comprises the built form and open spaces along Duncombe Place and High Petergate, as well as those to the south-east along Stonegate.
- 4.14 The proposed works directly affect the wall and there will be no impact on its setting. As such, this is not considered further.

Nature of Impact

- 4.15 The proposed works will only affect a very minor part of the wall with the impacts confirmed to the loss of a 140mm section of brick from one area. Whilst this will result in the very limited loss of historic fabric, the overall legibility of the wall will be preserved and there will be no material impact on its present appearance. The present gate is also of no historic value and the proposed replacement gate has been designed to reflect the existing gates.
- 4.16 As such, it is considered that the heritage significance of the wall, the Masonic Hall and 23 High Petergate is preserved and there will be no harm to their respective significance.

York Central Historic Core Conservation Area. Designated 1968.

- 4.17 The Conservation Area will hereafter be referred to as the 'York Central Conservation Area'. The 'York Central Historic Core Conservation Area Appraisal' (City of York, 2011) divides the Conservation Area into twenty-four character areas. The Site forms the boundary between Character Area 9 – The Minster Precinct and Character Area 10 – The Medieval Streets.

4.18 Due to the nature of the proposals, this assessment will principally focus on these character area and draws on the evidence of the Appraisal.

Summary of Significance

4.19 The significance of this part of the York Central Conservation Area relates to its historic, evidential and aesthetic values. The unique and individual townscape qualities of this character area are derived from the high number of historic buildings with varying architectural styles, a hierarchy of streets from the principal roads to the narrow service alleyways, longer views of the Minster and several more intimate local views. Whilst these elements are largely a legacy of its historic development and provide an understanding of its historic and evidential values in this respect, the current prevalence of individual and independent retailers and the variety of commercial functions within this area contribute to a lively and vibrant streetscene that adds to the overall character and sense of place, complementing the character of the built form. There are also communal values associated with York Minster as a place of worship, memorial and spirituality as well as its role in the identity of the city.

4.20 The Site is primarily experienced as part of the views of the memorial garden from Duncombe Place, Minster Yard and High Petergate. It is likely to have been built as a boundary wall as part of the works to Duncombe Place in the mid-nineteenth century which saw the demolition of the frontage buildings along High Petergate and Duncombe Place (formerly Blake Street) to provide a more open and grander approach to the Minster.

4.21 As shown by the historic mapping, the open space became the present memorial garden following the addition of the South African War Memorial (Grade II* Listed Building, NHLE: 1257874) in 1905 (Figures 4 & 5). The wall itself is of no decorative interest and appears to have been built as a functional response to the creation of the space rather than a designed feature. The use of brick in its construction does however reflect the prevailing aesthetic of the wider townscape and it provides an understanding of the historic plot boundaries of the adjacent buildings. It is therefore considered that the wall makes a negligible contribution to the character and appearance of the Conservation Area.

Setting

4.22 As the Site is located wholly within the Conservation Area, there will be no change to its setting.

Nature of Impact

4.23 The Site comprises a negligible element of the total Conservation Area. As discussed above, the works to the wall are extremely minor in nature and will maintain the overall appearance and legibility of the wall. They have been designed to be sympathetic to the existing character of the wall and will not result in a harmful change to the experience of the wall as part of the background of views of the War Memorial or its negligible contribution to the Conservation Area.

4.24 The proposed works will therefore preserve the character and appearance of the Conservation Area and there will be no harm to its significance.

5 CONCLUSION

- 5.1 This Built Heritage Statement has been prepared in order to assess the potential impact on the historic built environment arising from the proposed conversion and restoration of 23 High Petergate, and the creation of an outdoor seating area.
- 5.2 This Built Heritage Statement meets the requirements of the NPPF and local planning policy and provides sufficient information and assessment to identify the potential impacts arising from the development of the Site on the historic built environment.
- 5.3 The listed status of the wall itself has not been definitively established, but on a precautionary basis it has been treated and assessed as a Listed Building in this report by virtue of its physical relationship with the Masonic Hall (Grade II Listed Building, NHLE: 1257873) and 23 High Petergate (Grade I Listed Building, NHLE: 1257607). The site is also located within the York Central Historic Core Conservation Area (designated 1968). The works therefore have the potential to directly affect the significance of these heritage assets.
- 5.4 The site is located within the vicinity of a large number of highly graded (i.e. Grade I and Grade II*) Listed Buildings. Whilst there will be varying degrees of inter-visibility between the site and these Listed Buildings, the proposed works to the wall are minor and have been designed to be in-keeping with the present townscape setting of the surrounding Listed Buildings. The scheme will therefore have no impact on the significance of any Listed Building through changes within their settings.
- 5.5 This report has established that the intrinsic heritage significance of the wall is low and it comprises a negligible element of the overall heritage significance of the Masonic Hall, 23 High Petergate and the Conservation Area.
- 5.6 The proposed works will result in a very limited loss of historic fabric (140mm) from the widening of the existing opening. This will not affect the legibility of the wall or have a material impact on its present character. The existing gate is also of no historic value and the replacement gate has been designed to reflect the design of the gates already in-situ within the wall, maintaining its existing appearance. As such, the heritage significance of the wall will not be affected, nor its negligible contribution to the significance of the Masonic Hall or 23 High Petergate. The character and appearance of the Conservation Area will also be preserved.
- 5.7 The proposed works to the wall will therefore not cause harm to the significance of any built heritage asset; the scheme is in accordance with the statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990 and conforms to the requirements of the NPPF and local planning policy with regard to built heritage.

REFERENCES

City of York, 2005. *Draft Local Plan Incorporating the 4th Set of Changes*.

City of York, 2011. *York Central Historic Core Conservation Area Appraisal*.

City of York, 2018. *Local Plan – Publication Draft February 2018 (Regulation 19 Consultation)*.

Department for Communities and Local Government, 2018. *National Planning Practice Guidance (NPPG)*.

Historic England, 2008. *Conservation Principles, Policies and Guidance*.

Historic England, 2015. *Historic England Good Practice Advice Note 2 – Managing Significance in Decision-Taking in the Historic Environment*.

Historic England, 2017. *Historic England Good Practice Advice Note 3 – The Setting of Heritage Assets*.
Second Edition.

Historic England, 2021. *National Heritage List for England*.

Ministry of Housing, Communities & Local Government, 2021. *National Planning Policy Framework*.

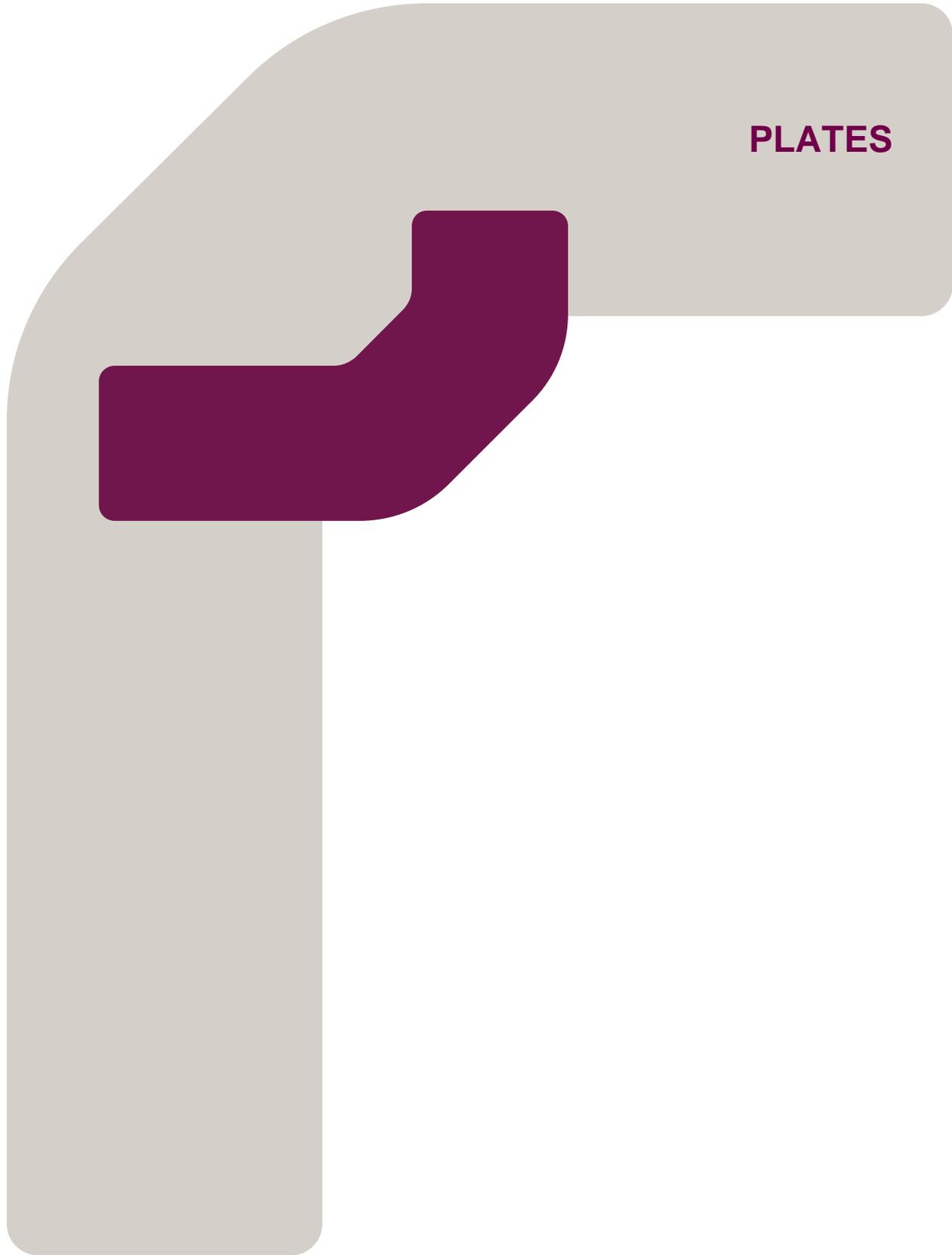


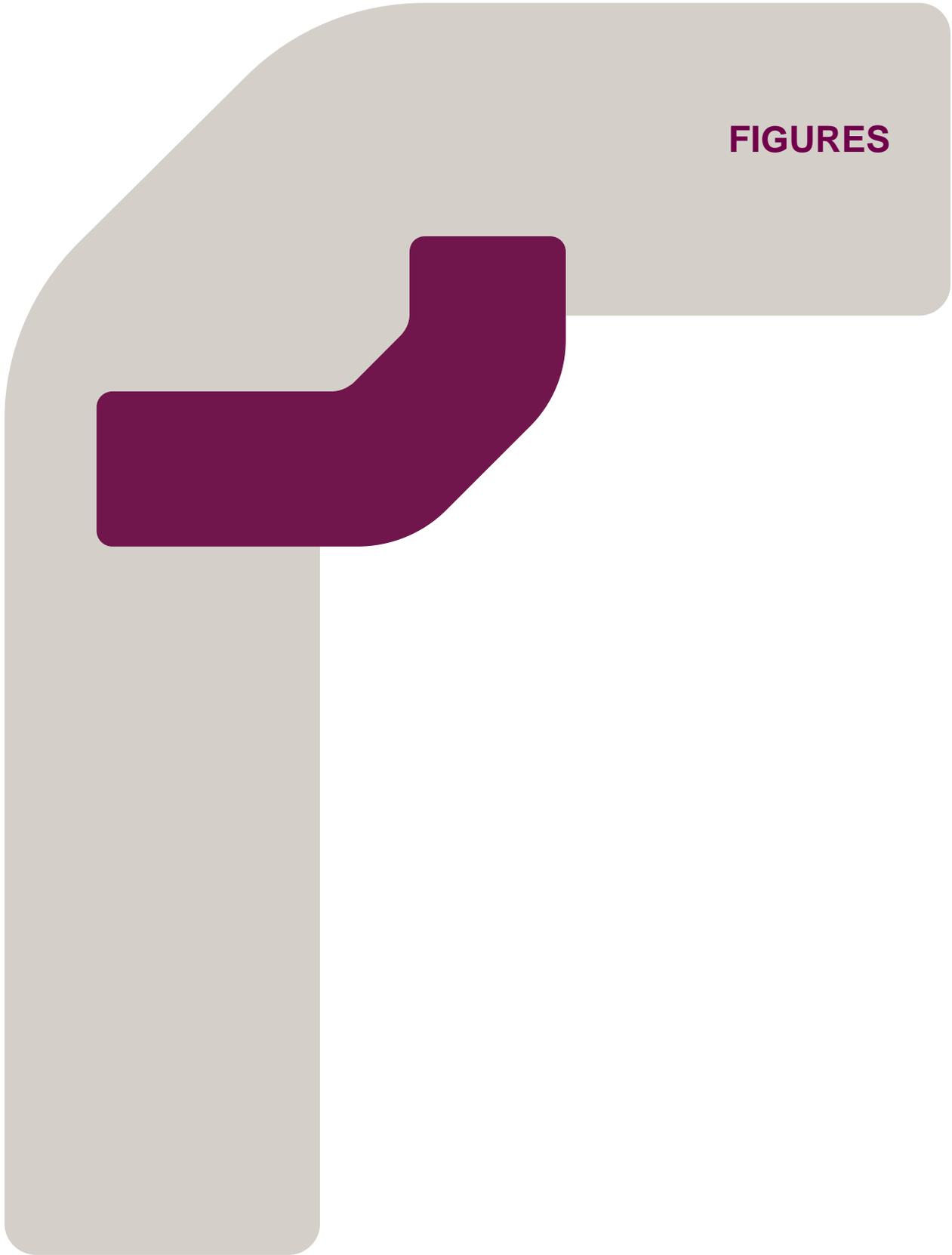


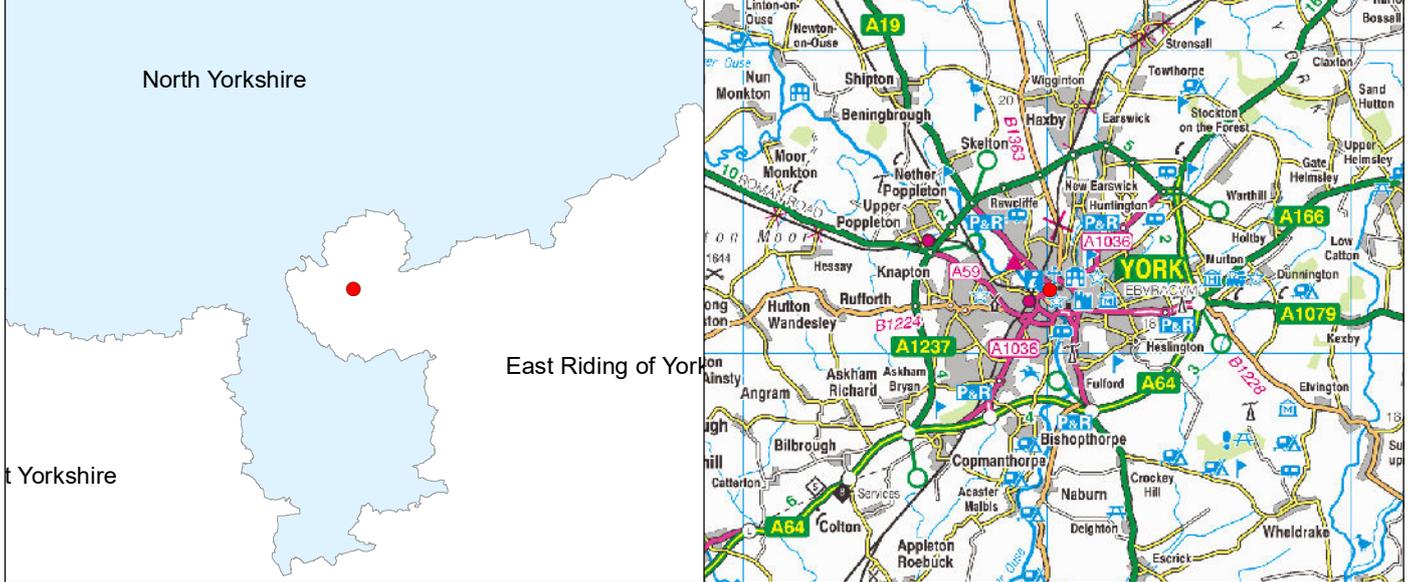
Plate 1: View of Site from High Petergate to the north-east.



Plate 2: View of Site from Duncombe Place to the north-west

FIGURES





-  Wall
-  100m Search Area

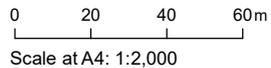
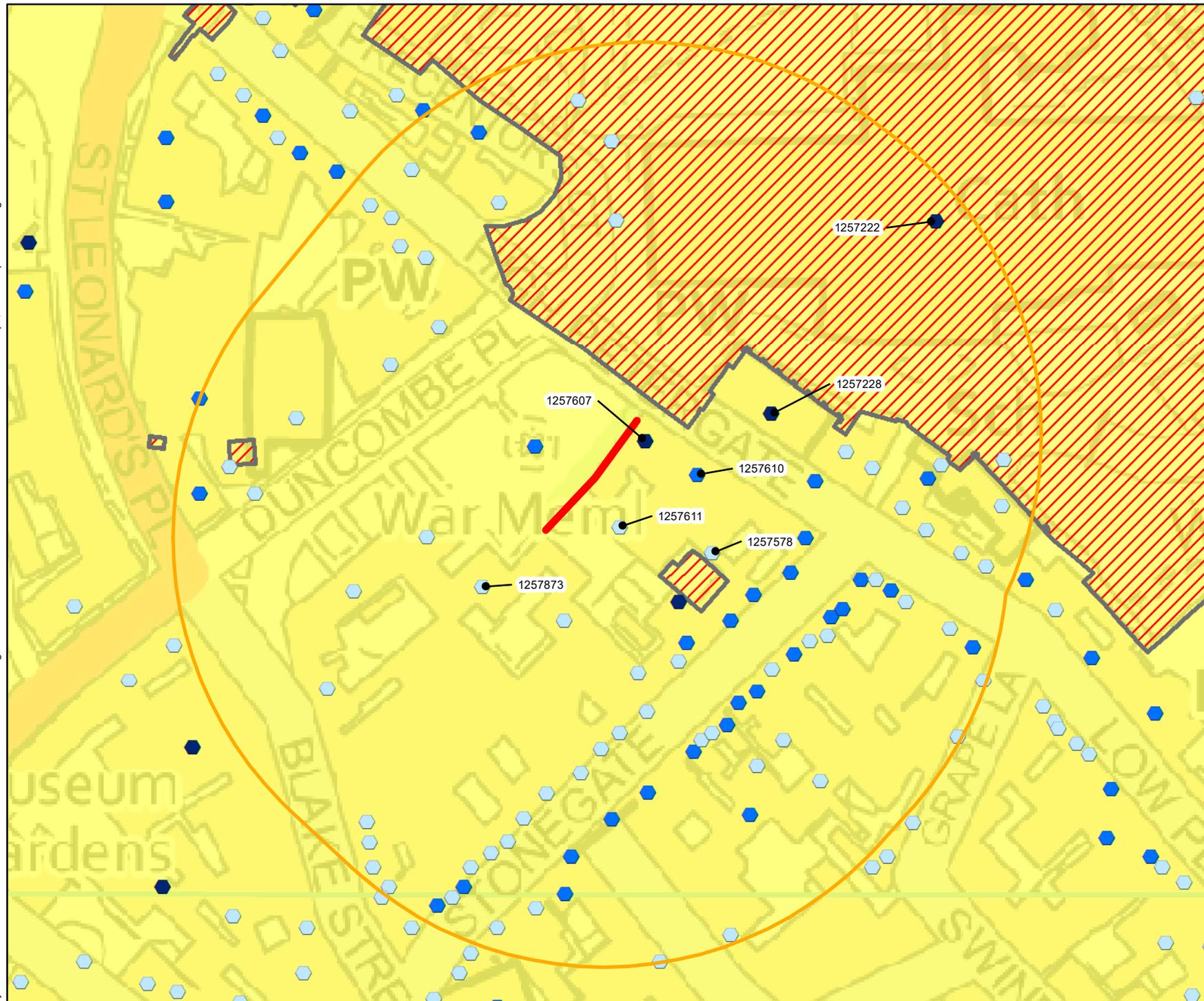


Figure 1
Site Location

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- Wall
- 100m Search Area
- Listed Buildings**
- Grade**
- I
- II*
- II
- York Central Historic Core Conservation Area
- Scheduled Monuments

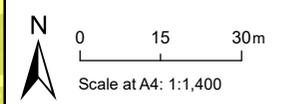
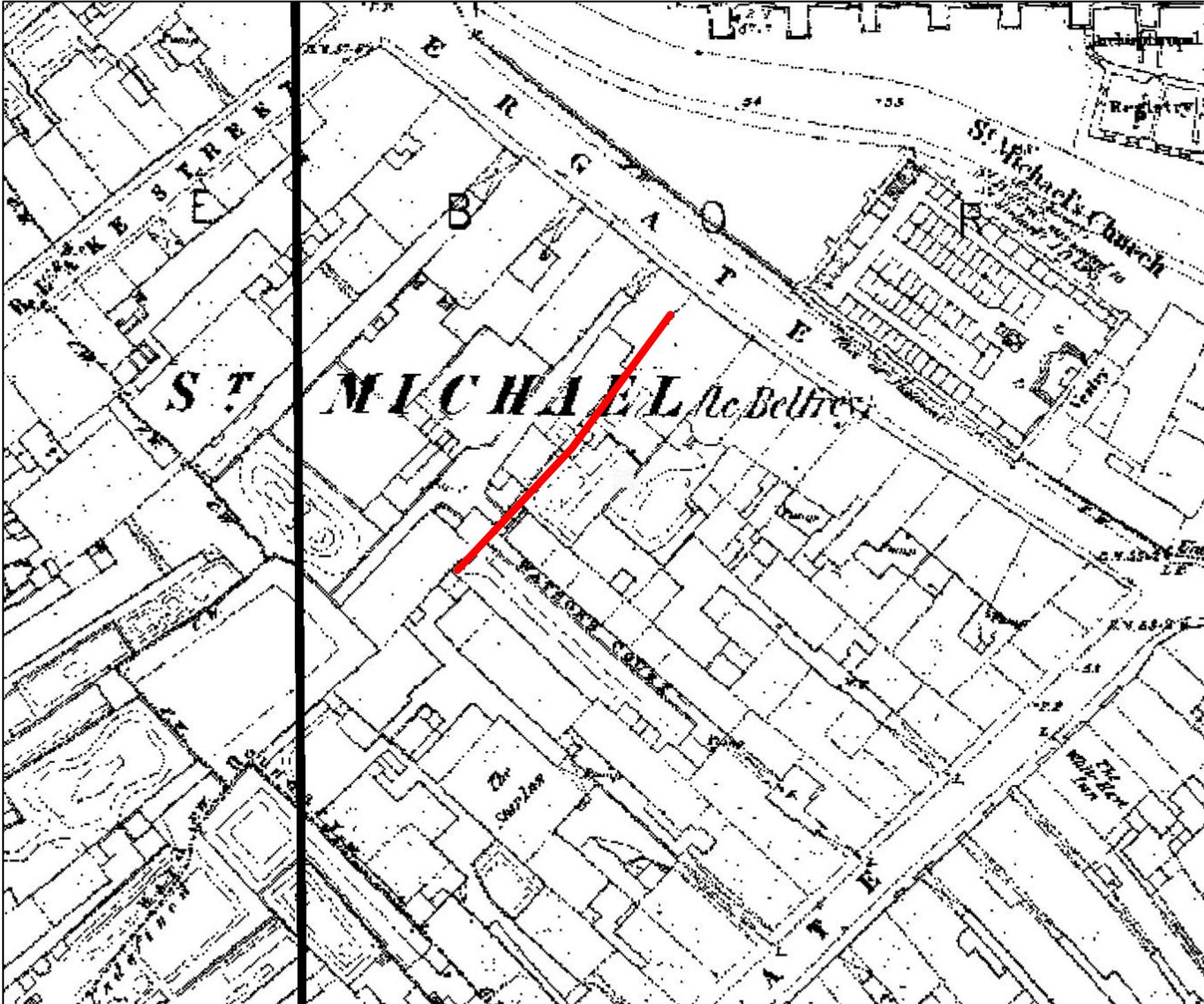


Figure 2
Designated Heritage Assets

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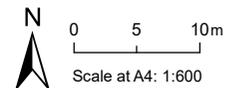
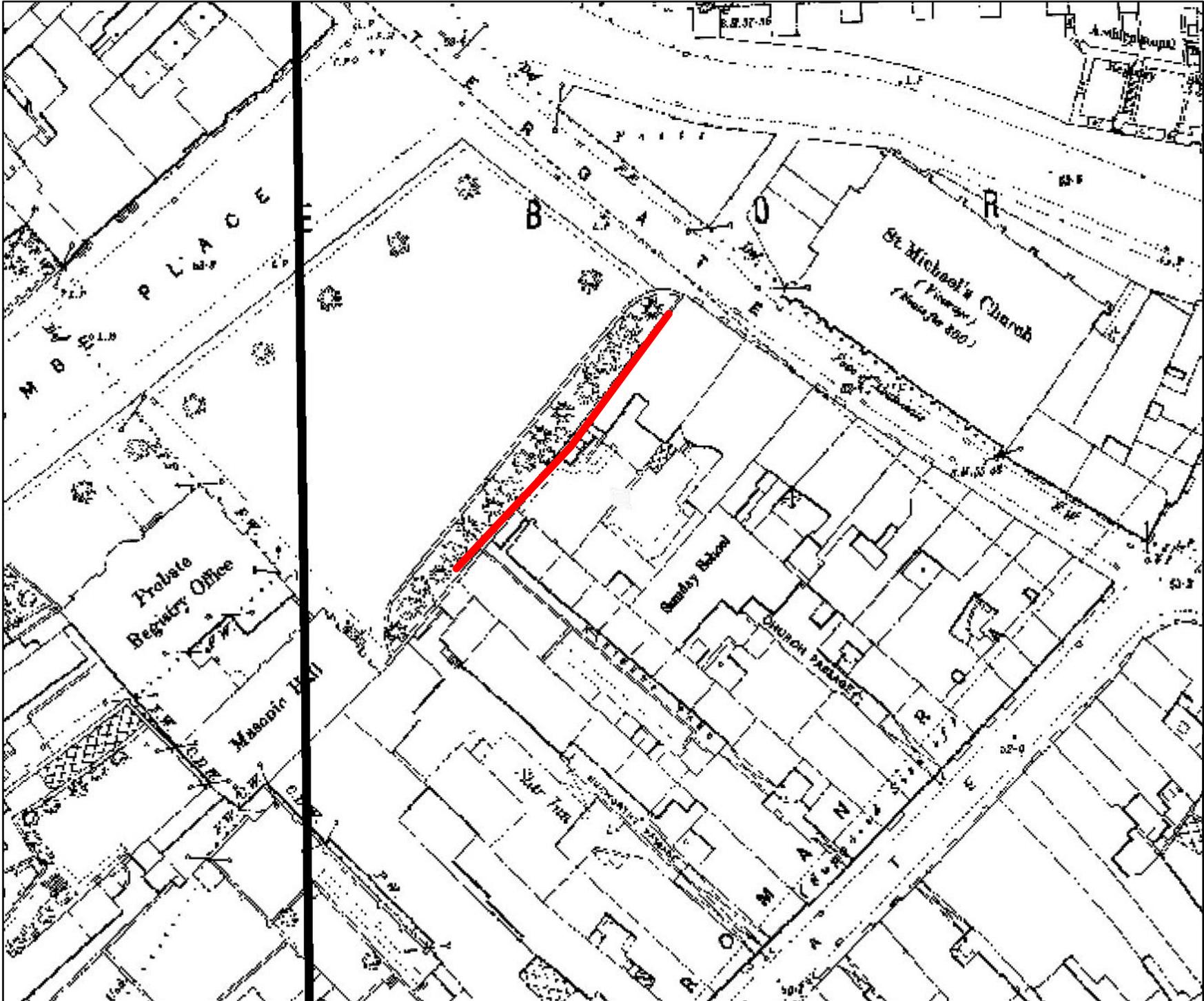


Figure 3
1852 Historical Town Plan

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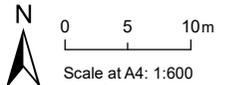


Figure 4
1891 Historical Town Plan

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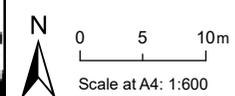
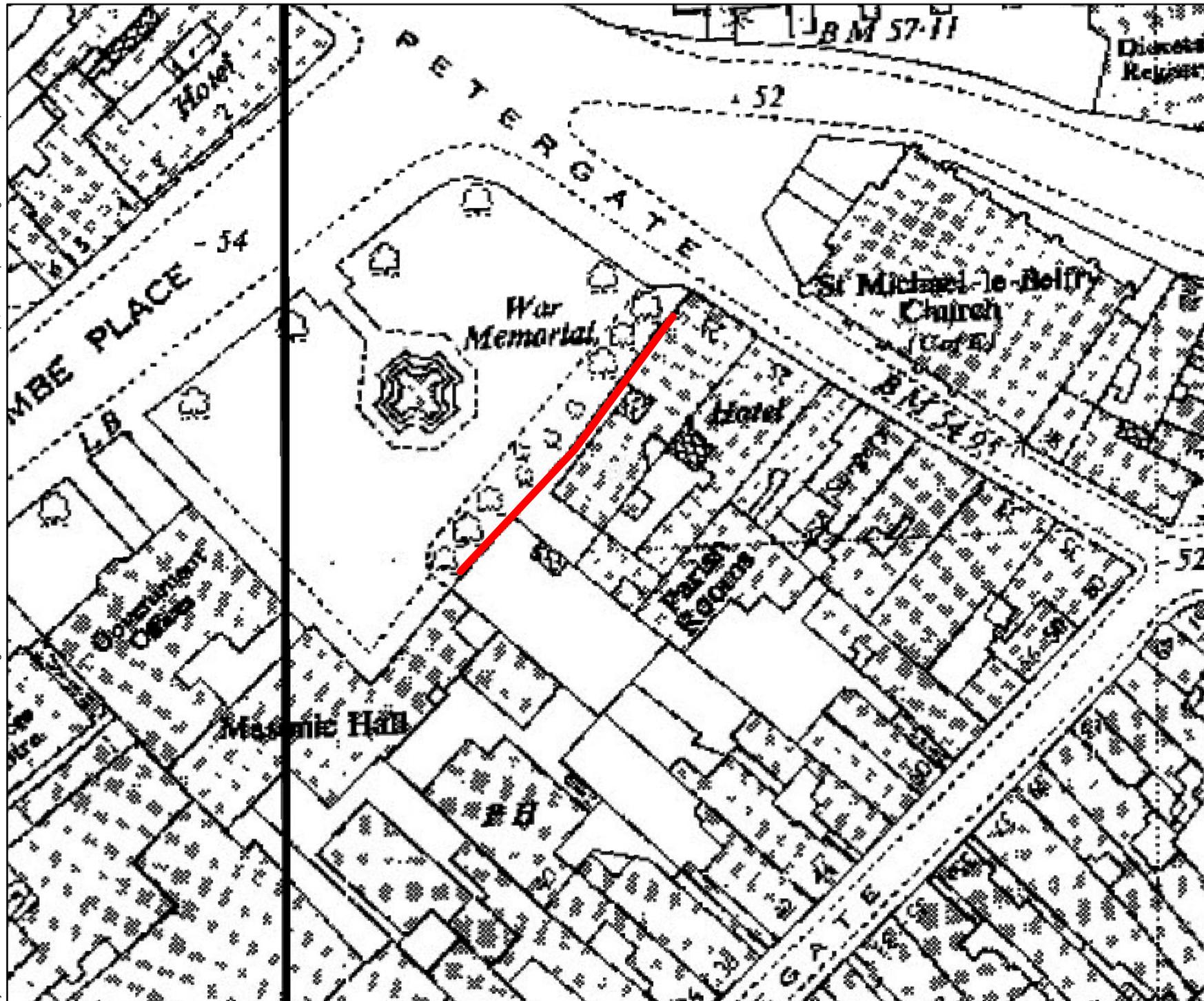


Figure 5
1931 Ordnance Survey Map

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Wall

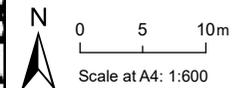
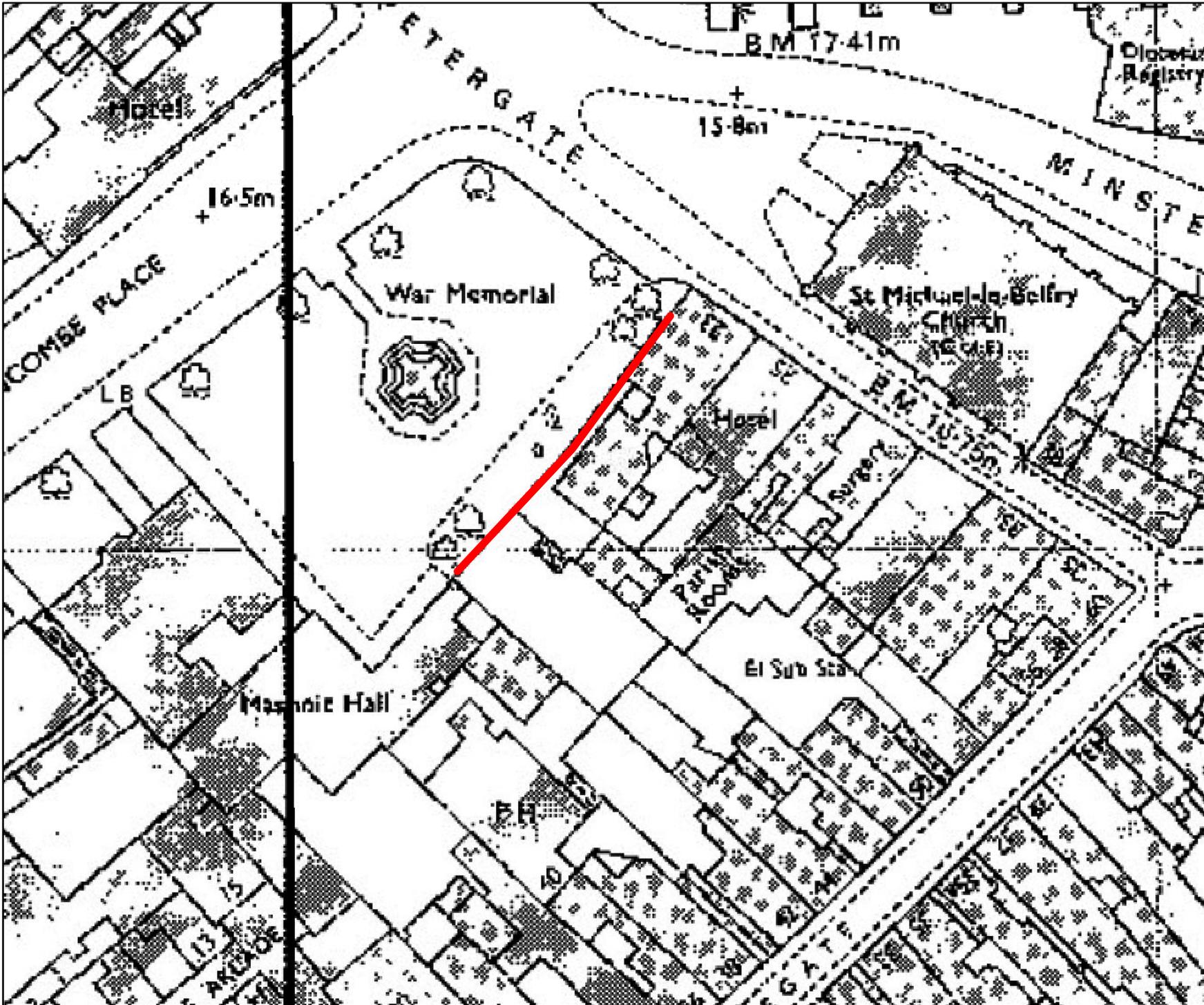


Figure 6
1961-62 Ordnance Survey Map

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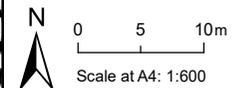
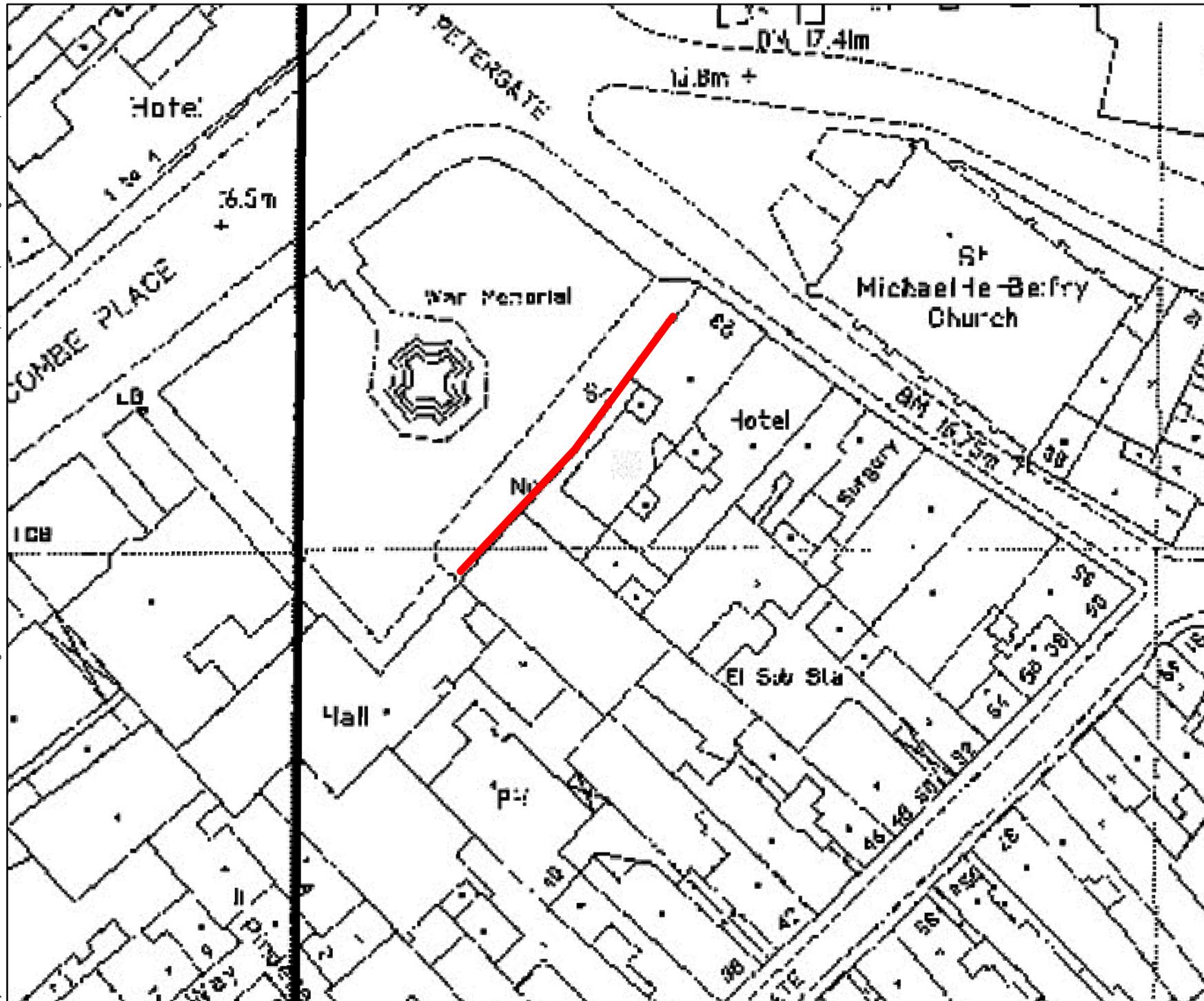


Figure 7
1979-89 Ordnance Survey Map

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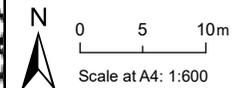


Figure 8
1996 Ordnance Survey Map

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Wall

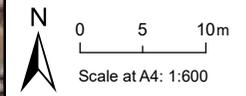
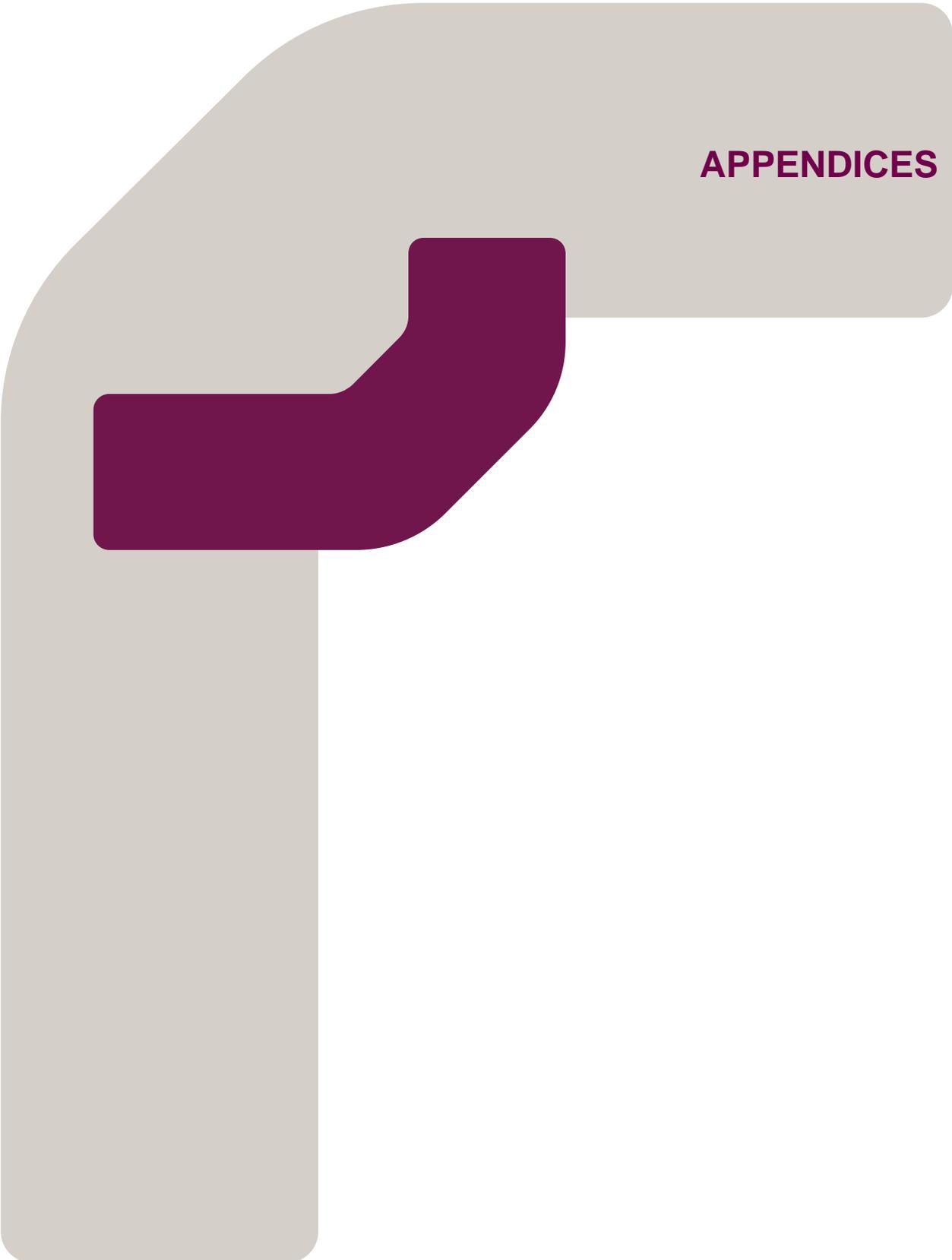


Figure 9
2020 Google Earth



APPENDICES

APPENDIX A

Statutory List Descriptions

Masonic Hall. Grade II Listed Building. NHLE entry: 1257837. Listed: 12 May 1999.

Masonic hall, offices and flat. 1862-63, altered 1866, with early C20 extension, Hall by J Barton-Wilson and John Edwin Gates. MATERIALS: Hall of grey brick in English garden-wall bond with ashlar front, moulded cornice and hipped slate roof with brick stack: extension of red brick in English bond with brick quoins, ashlar doorcase and reset porch, and moulded stone cornice; slate hipped roof with brick corniced stacks. EXTERIOR: Hall has 2-storey 3-bay front on basement plinth: extension is of 2 storeys, 6 bays. Entrance in extension through reset round headed panelled double doors in round-arched architrave and Doric porch with triglyph frieze, moulded cornice and low parapet. Hall front has rusticated clasping pilaster strips at outer angles and to projecting centre bay, supporting entablature beneath low parapet. Two basement openings in outer bays have ornate cast-iron grilles. Ground floor windows are 1-pane sashes in plain openings over sill band. First floor windows are similar sashes with semicircular overlights in keyed round-arched openings, also with sill band. Eaves frieze inscribed with the words AUDI VIDE TACE, one over each bay. Right return: Articulated by rusticated pilaster strips carrying moulded cornice. First floor sill band returns from front as storey band. There are no openings. Towards front, upper storey is set with low relief moulding of Masonic insignia enclosed in raised surround. Extension has panelled door in keyed moulded stone doorcase at left end. Ground floor windows are unequal sashes of 6 over 9 panes: first floor windows are 12-pane sashes. All windows have stone sills; those on first floor have keyed brick arches. Broad first floor band of brick. INTERIOR: Ground floor: Library completely fitted with reused C18 raised and fielded panelling and set fireplace. The walls of the Masonic Hall are articulated by marbled pilasters of the Greek Corinthian order and incorporate paintings and Honour boards. Master's Chair and porch over doors enclosed by clustered columns. Ornately enriched frieze to coffered ceiling. Lighting columns in the form of the Classical Orders. Founded as the Union Lodge on 7 July 1777 at Lockwoods Coffee House.

Number 23 and Attached Garden Wall and Outbuilding. 23, High Petergate. Grade Listed Building. NHLE entry: 1257607. Listed: 14 June 1954.

House, carriage-house and garden wall; now offices. House and garden wall c1779; late C19 carriage-house: early C20 and later alterations. MATERIALS: house front of red brick in Flemish bond on painted stone plinth; right return of orange-brown brick in English garden-wall bond; rear of orange-brown brick in stretcher bond; wing of red-brown brick in English garden-wall bond; timber doorcase and cornice; roofs of plain tile and pantile, with stone coped gables, brick kneelers and brick stacks. Carriage-house of orange-grey brick in English bond, whitewashed at rear, with slate roof and brick stacks. Garden wall of orange-brown brick in stretcher bond with moulded stone coping. EXTERIOR: house has 3-storey 4-bay front. Doorcase of fluted Corinthian pilasters, dentilled open pediment enriched with composition mouldings and panelled reveal; steps lead to 6-panel door and radial fanlight with moulded glazing bars recessed in fluted round-arched architrave with impost band of incised flutes and flowers. Three 12-pane sash windows with fielded panel shutters to right of door; similar taller windows without shutters on first floor; unequal 9-pane sashes on second floor. Ground and first floor windows have painted stone sill bands; those on second floor, painted stone sills: all have flat arches of orange gauged brick. Broad bands of painted stone to first and second floors. Dentil and modillion moulded cornice with inverted bell rainwater head dated 1780. Torch extinguisher attached to left of door. Rear: 3 storeys and attics; two gabled fronts, right one projecting forward of the left. Visible windows below attic are 12-pane sashes with flat brick arches. Attic windows are semicircular with brick arches, left one a lunette, right one with 4-pane

BUILT HERITAGE STATEMENT: LAND AT MASONIC HALL, DUNCOMBE PLACE, YORK

fixed light in partly blocked opening. 3-course raised brick bands to all floors. Garden wall approximately 1.75 metres high, ramped up to rear of house, extends approximately 6 metres to south-west. Outbuilding: 2 storeys and attic; 3 unequal bays, one gabled half dormer with finial. Carriage house entrance with flat arch of gauged brick, altered with insertion of tall windows with square leaded lights. First floor windows are sashes with glazing bars. Dormer has 3-light window with transom. INTERIOR: full-height geometric staircase with slender turned balusters and serpentine handrail, wreathed at foot around turned newel on shaped curtail step. (City of York: RCHME: The Central Area: HMSO: 1981-: 185).

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