

COMMITTEE DATE: 09/12/2015

APPLICATION No. **15/02261/MJR** APPLICATION DATE: 11/09/2015

ED: **CATHAYS**

APP: TYPE: Listed Building Consent

APPLICANT: Ascent

LOCATION: CUSTOM HOUSE, CUSTOM HOUSE STREET, CITY CENTRE, CARDIFF, CF10 1AP

PROPOSAL: PARTIAL DEMOLITION(REAR), INTERNAL WORKS, EXTERNAL ALTERATION AND EXTENSION AND REFURBISHMENT OF CUSTOM HOUSE.

RECOMMENDATION 1 : That subject to Cadw not wishing to call in the application for determination by the Welsh Ministers, that Listed Building Consent be **GRANTED** subject to the following conditions:

1. C02 Statutory Time Limit - Listed Building
2. No works shall commence until such time as a photographic record of the existing building, including its relationship with the York Hotel, and of the existing roof extension to the building has been submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure that a point in time record of the building is provided prior to any works of modification or extension being undertaken and for the benefit of future historians wishing to understand the development of the building over time.
3. No works, including any demolition, to the Listed Custom House shall take place until a demolition and construction method and management plan has been submitted to and approved in writing by the local planning authority and the demolition and construction shall thereafter be undertaken in accordance with the approved details. The plan shall include for findings of any investigative survey of foundations, such protection measures to ensure for the preservation of the remaining Customhouse fabric to be retained , and for details of any necessary shoring and support during the course of new building, piling and any necessary underpinning deemed to be required. The demolition and construction works shall thereafter be managed strictly in accordance with the approved plan.
Reason: In the interests of protecting and preserving those elements of the original Listed Building indicated for retention.

4. Should any items of archaeological interest be revealed during the course of any excavation works on the site [including but not limited to any masonry constructions, ceramics, items of metalwork, coins or burial remains] all finds shall be immediately reported to the local planning authority and all works of excavation shall cease until such time as written authority is obtained from the local planning authority to continue.
Reason: To ensure for the protection and recording of any archaeological resource as may be revealed.
5. The new roof extension to the building shall be finished in accordance with a scheme of architectural detailing which shall first have been submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure that the finished appearance of the development will enhance the appearance of the Listed Building.
6. Any modification of the existing windows in the building, or any new replacement windows as may be deemed necessary shall accord with a specification and detailed design which shall first have been submitted to and approved in writing by the Local Planning Authority
Reason: To ensure that the finished appearance of the fenestration will preserve the appearance of the Listed Building.
7. The new entrance door and canopy shall accord with a scheme of detail which shall first have been submitted to and approved in writing by the local planning authority.
Reason: To ensure that the detailed design of the new door and canopy will be appropriate to the character of the Listed Building.
8. Prior to first beneficial occupation of the development, a new illustrated interpretative plaque indicating the historic setting and purpose of the custom house shall be provided to the principal elevation of the Customhouse in accordance with a design which shall first have been submitted to and approved by the Local Planning Authority.
Reason: To highlight the significance of the building and the role it played in the historical context of the Canal system.

1. **DESCRIPTION OF WORKS**

- 1.1 Listed Building Consent is sought for works to extend the Grade II Listed Custom House building in Custom house street, in part, to the rear (south and west) in an area currently occupied by the adjoining York Hotel (proposed to be demolished) and also to the rear (South and East) over an area of land currently used for open air car parking; and also for a replacement roof extension to Custom House, which currently has a somewhat dated metal clad mansard roof of 1980's construction.

1.2 The proposals are very similar in form and aesthetic to an office development scheme previously resolved to be granted planning permission and Listed Building Consent in 2009 and revisited in 2012

1.4 The buildings lies just outside the St. Mary St. conservation

2. **DESCRIPTION OF THE LISTED BUILDING**

2.1 The Custom House is located on the corner of St. Mary St. and Customhouse Street, on the former east canal wharf of the Glamorganshire Canal. The present Building was likely built Circa 1845 and extended along Custom House Street 1865; but was effectively internally gutted, altered and extended by Lock-Newcrews, Hill & Partners, architects, of Cardiff Circa 1983-5 .

2.2 The building is finished in painted Stucco render with some Bathstone dressings, with rusticated ground floor / pilasters, and roman arch headed window apertures with segmental/marginal glazing bars to double glazed timber windows . The building has been completely altered internally and currently has a now somewhat dated 1980s modern hipped Mansard roof. It is suggested that the building is listed now, more for its importance in the commercial history of Cardiff, than for its remaining architectural merit.

2.3 The York Public House (proposed to be demolished) is adjoined to the rear and western side elevation of the Customhouse. The York Public House is not Listed or protected by any other designation; Nor is it the original building abutting the Customhouse, but dated as constructed Circa 1890.

3. **SITE HISTORY**

3.1 In Oct 2012 Committee revisited a previous scheme [09/02188] and resolved to grant planning permission, principally because of the ongoing deterioration of the York P.H., without the necessity to retain the York until letting of a contract for the redevelopment of the site subject to the signing of a S106 agreement.

3.2 In January 2010, Planning permission 09/02188/C for the partial demolition of Custom house, total demolition of York hotel, and construction of 3/4 storey office accommodation and refurbishment of listed façade was resolved to be Granted subject to no demolitions commencing until a contract for re-development of the site had been Lett.(and Subject to S106 agreement)

3.3 09/0993C Change of Use to Day Centre and Accommodation for Homeless Persons Granted 05.11.2009

3.4 08/1724C Demolish York Hotel and Rear Areas of Custom House, Construct

3 Storey Extension Providing 2 Upper Floors of Office Use, and 2 No. A3/Restaurant Units on Ground Floor with undercroft Car Parking
Planning Permission Resolved to be Granted subject to S106
10.12.2008

- 3.5 08/01725/C Internal refurbishment of Custom House, Demolition of rear areas, 3 storey extension
Listed Building Consent Granted 08/04/2009
- 3.6 05/2239C Change of Use to Hotel and Ancillary Services
Planning Permission Granted 16.03.2006
- 3.7 89/2013C Erection of Plaque Recording the History of the Custom House
Granted 09.01.1990

4. **POLICY FRAMEWORK**

Planning Policy Wales - Chapter 6 Planning and the Historic Environment

Welsh Office Circular 61:96 and 1:98 Planning and the Historic Environment.

5. **INTERNAL CONSULTEE RESPONSES**

None Undertaken

6. **EXTERNAL CONSULTEE RESPONSES**

The Amenity Bodies were consulted.

6.1 **The Royal Commission on Ancient and Historical Monuments in Wales**

The remit of the Royal Commission permits us to comment only on the historical significance and context of a monument or structure and on the adequacy or otherwise of the record. The former Custom House was listed for its special interest as a mid-C19th public building in classical style which served as a custom house in relation to the adjacent Glamorganshire Canal. The list description (1975) is confined to the exterior but this does not mean that the interior does not contribute to the building's special interest. The present proposals for partial demolition entail the demolition of the interior leaving only the principal facades standing. An application as radical as this should be supported by an assessment of the historic interest of the interior. It is not enough to say (Design and Access Statement, p. 6) that the building is listed more for its historical associations that 'for its remaining architectural merit.' Circular 61/96, para. 98, is quite clear that 'facadism' is not normally acceptable:

“The preservation of facades alone, and the gutting and reconstruction of interiors, is not normally an acceptable approach to the reuse of a listed building.”

This application will need to be very carefully considered in relation to the guidance relating to the alteration and demolition of listed buildings.

6.2 **The Council for British Archaeology**

The CBA welcomes attempts to find a new use for this building.

The application does not demonstrate an understanding of the internal volumes relating to its original function and does not make any attempt to assess the value of internal features, layout or materials. Despite extant permissions, we would expect an evidence based approach to justifying demolition.

The loss of the York Public House is regrettable as it adds significant value to the setting of the Custom House, much of which has already been lost due to modern development and the closure of the canal.

The massing of the proposed new development is unsympathetic and the roof extension and east elevation, in particular, are overdevelopment which is unsuccessful in respecting the architectural rhythms of the original building. This also negatively affects the architectural significance of the building and its setting.

Despite the extant permissions we would request that further details / information is provided by the applicant to ensure that any historical or archaeological significance of the parts of the building which are proposed for demolition is understood and used to inform decision making. This should include not only original features and layout but also alterations made subsequently as the building was adapted for other uses. We would also suggest that the design of the new build is revised to more fully respect the scale, volumes and architectural elements of the original building. We have no objection in principle to modern development adjacent to or extending an historic building but it needs to be very carefully designed to take account of the architectural value of the existing building.

7. **REPRESENTATIONS**

7.1 The application has been advertised in accordance with statutory requirements and neighbouring occupiers and local members have been notified.

No representations have been received directly in respect of the application for Listed Building Consent (As opposed to the Planning Application) However the following representations are considered relevant to both applications;

Cardiff Civic Society

Are disappointed about the proposals in respect of the loss of part of the City's Victorian heritage – the York Hotel - and the retention of only the façade of the Custom House.

They suggest that the City centre is becoming increasingly bland, losing its character as a quintessentially Victorian City. This is not helped by retaining a façade behind which looms an overpowering, modern development.

CCS cite a recent Guardian article and the nearby Altolusso Tower development as a case in point.

They comment that the retention of facades can be appropriate in the right circumstances, but all too often is a means by which developers can secure permission by assuaging planners' concerns and getting round listing at little cost to themselves. At worst they represent an unimaginative and expedient solution to the problem of what to do with a listed building. The Civic Society's view is that there should be a strong presumption in favour of retaining the fabric and essential character of listed buildings, allowing that, where appropriate, internal works to make them capable of a beneficial use can be done. Similarly, and extensions to the exterior should be sympathetic and, critically, in scale with the original, not overwhelming it.

8. **ANALYSIS**

- 8.1 There remains very little of the original Customhouse building, having been completely remodelled internally in the 1980s to accommodate a modern lift, central corridor spine and partitioned office rooms. The architect confirms the building now has concrete floors, a Mansard roof extension, a further rear extension, double glazed fenestration and new joinery throughout. The building is suggested to have little architectural interest now other than the aesthetic of the northern and western facades.
- 8.2 The rear common wall with the adjoining undesignated York Hotel remains in part but the rear elevation of Customhouse has in other areas been replaced with modern brickwork.
- 8.3 Additionally the building has been subsequently further adapted internally with additional partitions and screens to allow use as a homeless hostel to provide compartmentalised dormitory spaces and communal areas.
- 8.4 The listed status of the Custom House is therefore believed by the planning officer to relate principally to the historic interest of the building as a regulatory building relating to the movement of goods from the historic docks and canal systems, rather than because of its remaining architectural merit.

- 8.5 Notwithstanding the above, The remaining merit of the Listed façade, with rusticated stucco detailing, keystone arch headed windows and parapet arch detailing has resulted in a number of discussions with the developer's architects in an attempt to ensure that the proposed development will pay appropriate respect to the building aesthetic.
- 8.6 The design of the proposed extensions are very similar to previously approved, Office Development at the site.
- 8.7 Similar to previous schemes, a replacement roof extension to that provided in the 1980s has been negotiated, and the now tired and aesthetically very heavy looking metal mansard roof is to be replaced with a visually lighter glazed flat roofed structure with more vertical sides. This is considered an enhancement of the building
- 8.8 Noting the comment's of the Civic Society, in respect of the Listed Custom House, it is accepted that the proposed scheme amounts to a façade retention; however the building as exists currently is itself a facadism scheme, with essentially only the west and northern facades of the building retaining their original composition and having any remaining architectural significance, and therefore the 'sometimes acceptable' facadism approach is considered appropriate in this instance, and not resisted, as the proposals have minimal impact on any remaining original fabric, and are considered a positive enhancement of such original fabric as does remain.
- 8.9 The comments of the RCAHMW and the CBA are also noted but also made without the benefit of internal inspection of the building, or the degree of previous adaptation.
- 8.10 The loss of the York is regrettable. But the building is in very poor condition, has been vacant/semi-derelict for a number of years, and benefits from no statutory protection. Cadw were asked to reassess the building at the time of the last Listed Building and Planning Applications for the very similar office development of the site Circa 2009 and confirmed that the building was not considered to meet relevant criteria for Listing.
- 8.11 The new buildings

The proposed new buildings would be finished in a light coloured palette of cream render and regimented fenestration considered appropriate to the presentation of the Customhouse; and the new build 'interface' with the existing Custom House is critically recessed and set back from the western elevation and principal façade to allow the original form of the listed building to remain legible, and to allow the western frontage and eastern extensions to appear as two separate, but connected buildings, to the rear of the Listed Building, which retains for a more traditionally scaled presentation to the street scene.

8.12 Whilst the new build elements to the scheme are clearly much taller than the Listed building (5 and 6 storey), they do not look out of place in the immediate context of taller buildings which surround the Customhouse and the design is considered to be successful in articulating the increased height of the extensions as separate but complimentary structures to the original Customhouse building.

8.13 The extension to the east elevation, is set some 6m back from the northern frontage of the existing Custom House extension and would project a further 3 metres toward the Open University Building than the existing building extension. This building element would be of six storey height and would be similarly finished to the western extension in a light coloured render system.

8.14 Architectural detailing.

Submitted plans suggest that the only modifications to the front elevation of the Custom House is the replacement of the existing (Non original) double 6 panel entrance doors and canopy with a fully glazed entrance door and canopy. There is no objection to the principle of this, as it is considered to read as an honest intervention as opposed to the current faux replication of a period door.

From the submitted acoustic survey, it is likely that the existing (again non original and double glazed) windows may require upgrading or replacement. The principle of this is also not resisted subject to the detailed specification and finish being controlled by condition.

8.15 Protection of the Listed Facade.

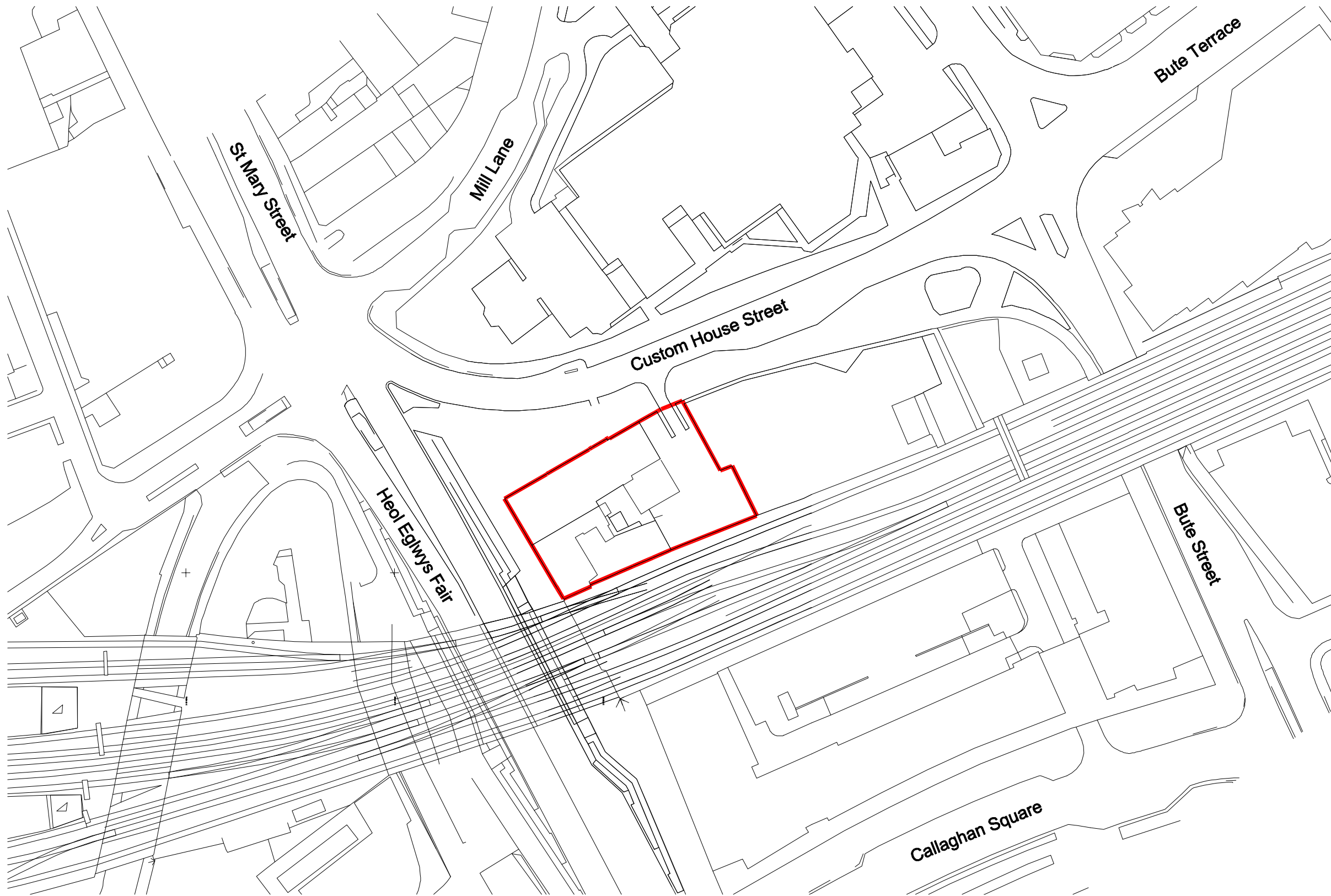
The Engineer's report submitted with the application suggests that the existing facade will require propping and falsework support during the course of construction and that it may be necessary to underpin the facade and provide flexible ties to the new building to allow for disparate settling of the different elements of the scheme. This is accepted and a condition is proposed to allow the Local Planning Authority to be advised of exploratory findings and final methodology of support and integration to the new structure.


8.16 Conclusion.

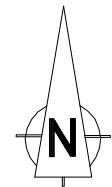
That the development is very similar to that already benefiting from Planning Permission and Listed Building Consent, realises minimal loss of historic fabric, and provides for a redevelopment scheme which retains the existing facades of the Custom House as a visually separate feature of the development, and therefore preserves the historic interest of the building and what remains of the historic fabric for the benefit of future historians.

Custom House, Cardiff.

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REVISIONS		
No	By	Description
		Date



 Application Site
0.4 Acres
0.16 Ha



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Project
Custom House

Client
Ascent Development Ltd

Drawing Title
Site Location Plan

Location Plan

Drawn	Checked	Scale	Original	Date
HM	ARM	1:1000	A3	August 2015
Job Number	Drawing Number	Revision	Status	
2876	PL	101	Planning	



2876

Custom House Customhouse Street Cardiff - PL1000