

DELEGATED REPORT

Date: 9 August 2018 **Ward:** Fishergate
Team: Major and **Parish:** Fishergate Planning
 Commercial Team Panel

Reference: 18/00639/LBC
Application at: St Josephs Convent Of Poor Clare Collentines Lawrence Street
York YO10 3EB
For: Conversion, alteration and part demolition of existing buildings (the
Lodge and Extern House) to provide 10no. apartments and
erection of 4no. dwellings.
By: Mr Burgess
Application Type: Listed Building Consent
Target Date: 17 May 2018
Recommendation: Approve

1.0 PROPOSAL

APPLICATION SITE

1.1 The application relates to part of the St Joseph's Convent site. The convent was vacated in 2012. At that time, the convent buildings and the boundary walls were listed at grade II. Subsequently, planning permission was granted for re-development of the site for student accommodation (application 14/02404/FULM). The scheme included demolition of non-listed 'workshop' buildings, and the conversion of the main building, the Lodge/Priest's House and the Extern House and new blocks of accommodation within the grounds.

1.2 The student accommodation is now in operation. However the Lodge/Priests House, which fronts Lawrence Street and the Extern House behind have remained vacant and have not been refurbished. These buildings date from 1875 and are both grade II listed.

PROPOSALS

1.3 This application proposes sub-division of the convent site and the redevelopment of the Lodge and Extern House as dwellings. It is also proposed to erect 4 new dwellings within the grounds, to the east side of the existing buildings. This would create 14 dwellings overall. There would be a new pedestrian access created through the listed wall at the front and vehicular access through the arch on the lodge.

1.4 A summary of the alterations and works proposed are as follows –

Lodge

- New gates to vehicle entrance (existing solid timber entrance gates retained and held open)
- Secondary glazing to front windows & replacement bay window at rear
- New roof-lights on both elevations and dormers at rear of lower building
- Internal changes / alterations including removal of stairs & partition walls
- Replace 1st floor rear access
- Extension to east side

Extern House

- Demolition of single storey extension (demolition & rebuild has been approved under previous applications) and entrance porch.
- Internal alterations
- New external access staircase to upper floor

Boundary wall

- New pedestrian entrance created.

1.5 The proposals have been revised since being originally submitted. The changes retain more evidence of historic plan form and the new houses have been moved further from the boundary wall so they would be less prominent within the street scene.

2.0 POLICY CONTEXT

2.1 Relevant 2018 Publication Draft Local Plan Policies:

D5: Listed Buildings

3.0 CONSULTATIONS

Design and Conservation

3.1 The convent was built in 1870-5 for the Order of the Poor Clare Colletines to designs by the Catholic architect George Goldie; the contractors were Weatherley and Rymer of St Leonard's Place, York, who had previously built Goldie's Roman Catholic Church of St Wilfrid, York (1862-4, Grade II). The Priest's House (The Lodge) and Extern House are subject of the current application and are Grade II

listed. These buildings have historical, evidential, aesthetic and communal value and this is exhibited in the survival of historic fabric and plan form.

3.2 After an initial site visit to assess the scheme officers had reservations over the following proposed works –

Extern House

- loss of corridor and cellular plan form
- loss of doors
- sub-division of large ground floor room

The Lodge

- number of roof lights
- loss of front first floor staircase and introduction of new staircase
- loss of plan form

3.3 The applicants have addressed these issues by providing revised plans and further justification for the works. The plan form in both buildings can still be appreciated through the careful positioning of partitions and the introduction of 'pod' bathrooms to allow views of the original ceiling. The sub-division of the large room in Extern House was, on balance, considered acceptable to allow a viable new use for the heritage asset, and the loss of the first floor staircase in the Lodge is supported following evidence provided by the applicant which establishes that it was a later and less significant feature.

3.4 The application is, therefore, supported subject to a range of detailed conditions.

Conservation Areas Advisory Panel

3.5 It appeared that there would be fairly major alterations to/removal of internal walls and staircases although there would be no major alterations to the external appearance other than the introduction of roof-lights. The Panel questioned the need for the extent of the internal alterations and the potential removal of the original fabric.

Historic England

3.6 Advise that the proposals are broadly acceptable subject to detailed treatment. Decorative internal features should be retained in-situ wherever possible. Any changes to windows and all materials and details for the new build should also be approved by the Council, with details secured through condition.

York Civic Trust

3.7 The trust do not object to the proposed re-use of the building and is sympathetic to the difficulty in repurposing historic spaces for C21 uses. However the trust objected to the original scheme due to the loss of historic fabric and plan form and the consequent loss of the integrity and 'readability' of the Extern House and Lodge as historic buildings.

3.8 The trust found it highly disappointing that many aspects of the interior that are referred to in the listing are to be removed, and with no detailed justification given. This includes staircases, handrails and balustrades, most of the six-panelled doors, glazed double inner doors (the Extern). In addition, all the original windows are to be replaced, as are the wooden carriageway doors on Lawrence Street, which again are referred to in the listing.

3.9 Furthermore, the ability to read the original layout of these two convent buildings - which are again detailed in the listing as consisting of rooms connected to a central spine corridor - would be permanently removed in the proposal. This is a particular loss in the Extern House.

Publicity

3.10 No representations have been made.

4.0 APPRAISAL

KEY ISSUES

4.1 Section 16 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990 advises that in considering whether to grant listed building consent for any works the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

RELEVANT POLICY

4.2 The National Planning Policy Framework states that in determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

- the desirability of new development making a positive contribution to local character and distinctiveness.

4.3 The Publication Draft Local Plan 2018 was submitted for examination on 25 May 2018. The emerging Draft Local Plan policies can be afforded limited weight at this stage of preparation, and subject to their conformity with the NPPF. The evidence base underpinning the emerging Local Plan is capable of being a material consideration in the determination of planning applications. Policy D5: “Listed Buildings” states that proposals affecting a listed building or its setting will be supported where they:

- 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
- help secure a sustainable future for a building at risk;
- are accompanied by an appropriate, evidence based heritage statement, assessing the significance of the building.

4.4 The policy goes on to state that 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.

ASSESSMENT

4.5 The developer did not consider it viable to convert the buildings as part of the student accommodation scheme , and they have been vacant since 2013.

4.6 In accordance with guidance within the NPPF, it is desirable to find a viable new use for these buildings consistent with their conservation. The proposed use as dwellings is akin to the original use of these listed buildings. However the buildings historically were in communal use and it is acknowledged that a degree of sub-division is required to re-use the space as private dwellings.

4.7 To respect the significance and evidence of the former use of the buildings, the following principles have been adopted to allow the buildings historic form to be understood -

- Where corridors / circulation areas are sub-divided or new partitions introduced clerestory windows are typically used to retain evidence of the existing plan form.
- Downstands are kept where walls removed as evidence of the previous plan form.
- Where bathrooms have to be accommodated within rooms they are pods with lower ceilings or use clerestory windows.

4.8 Specific to each of the buildings the proposed alterations are detailed and assessed below.

LODGE

Internal layout and loss of staircases

4.9 The removal of two staircases between the first floor and attic is proposed. Consent to remove one of these (in the rear room above the entrance arch) was granted in the previous (2014) scheme for the site.

4.10 A second stair to be removed was a later addition; it is of low quality architectural detailing, which is evident by the means of construction. The stair is not compatible with the original plan form and the applicant has provided supporting evidence to establish that both the stair and the room it occupies are a later alteration. The staircase causes safety issues due to its narrowness and juxtaposition to the window (guarding would be required).

4.11 There are safety concerns associated with bringing the aforementioned staircase back into use. Also the proposed configuration, which groups the vertical circulation, allows a more efficient and logical sub-division of the building into 1 and 2 bed sized apartments. The staircase is of low importance, in so far as it is characteristic of the way the building has been altered in a somewhat makeshift way over time. There is adequate justification to allow this alteration.

Upgrading windows

4.12 The windows to the front require upgrading due to noise and air quality as a consequence of traffic. Without attenuation, internal noise levels would be significantly higher than World Health Organisation and British Standards. Secondary glazing is proposed to provide adequate attenuation, the specification of which has been informed by a noise assessment. Options for the design have been presented and a condition can be used to approve the details.

Bay window at rear

4.13 The window is a C20 insertion with a glazing pattern of its time which deviates from the sash windows found elsewhere on the building. It is proposed to replace the windows and add a pair of full-height French doors to improve views of the garden area. The modification would not harm the historic or architectural importance of the building.

Access staircase

4.14 Consent was granted to replace the timber access staircase in previous applications for the site. The previous design intent is carried through in this scheme in that contemporary timber cladding is used to make the new works apparent and of its time. There is a theme throughout the scheme of using timber cladding for external works. It is proposed that the structure extends over the rear elevation, forming an entrance via the existing sash window above the ground floor entrance passage. The form would replicate an historic arrangement in this area (evidenced in section 3 of the Design & Access statement). It would be an apparent intervention of its time and in a discreet location at the rear. It would not harm significance.

Later side extension

4.15 The side extension to the lodge, which is set down from the main building, would be given a contemporary appearance (using glass and timber cladding), rooflights and dormer windows at the rear. Rooflights and dormers were approved in a previous scheme; in this scheme there are fewer rooflights on the elevation facing the road. The side extension is required to accommodate a staircase; it would be subtle and appropriate in scale. The works would not cause harm to the heritage asset.

Roof

4.16 Two additional rooflights on the front roof slope of the main building are proposed. This allows the roof space to be utilised. Overall, there would be the same number of rooflights as in the previously consented scheme.

EXTERN HOUSE

Layout

4.17 As existing the Extern House has central corridors and cellular rooms. Due to the layout and room sizes some loss of plan form and alteration is necessary to give access to dual aspect apartments on each floor. The approach taken sub-divides the corridors (at two points at ground floor level, one above) and would accommodate the corridor within the apartments. This allows for the retention of some of the doors into rooms, which would otherwise need to be replaced to meet standards for fire resistance. Where sub-divisions are made they are positioned where there are existing downstands. Also clerestory windows and downstands are used as devices in most cases to allow evidence of the original plan form.

Structures to be removed

4.18 The side wing, which was added at a later date and is in poor condition, would be demolished. This has been allowed previously. It is also proposed to remove

the entrance porch. This is part timber, part plastic and a later addition which detracts from the main facade.

External staircase

4.19 A timber clad access to the upper floor, akin to that found at the Lodge is proposed. The staircase would read as a new intervention and be of the same architectural language as other new work. This approach adheres to Historic England guidance on making changes to heritage assets, as the structure due to its scale and location would be over dominant. The contemporary timber cladding would read as a new intervention whilst using a material which has been used at the site over time, in now demolished buildings, retained buildings and coherently in new additions at the site introduced as part of the student accommodation development.

Roof form

4.20 In the revised plans, one rooflight is proposed on the main elevation and two at the rear. This is a reduction in comparison to the original submission. The rooflights are aligned with the dormers and are fairly small in scale. They do cause less than substantial harm to the appearance of this building. However the harm is justified because a) the roof-space is significant and the works allow a 2-bedroom apartment in this area, which will assist with the building's viability and b) the building is setback from the street and the visual impact of works to the roof is low.

NEW BUILDINGS

4.21 Four new dwellings are proposed within the grounds. Two of these would sit in the position of the demolished wing of the Extern House and the other two within the former enclosed garden between the Lodge and the new Vita Student building which sits behind the front wall. A landscaping scheme has been produced for the garden areas indicating that 8 new trees would be planted.

4.22 The buildings would be timber clad with contemporary detailing. The two which will be seen within the street scene have been positioned and scaled so they relate to the proportions of the new Vita Student building. The proposed buildings are two storey and subordinate in scale to the listed buildings; this can be understood from sectional elevation drawings which show the ridge level of the proposed buildings aligned with the top of the first floor windows of the Lodge.

4.23 The proposed buildings would not be overdominant and would be a sympathetic addition to the family of buildings that presently exist on the site..

5.0 CONCLUSION

5.1 The buildings the subject of this application have been vacant since 2013 and are in need of a new use. Although less than substantial harm has been identified as a consequence of the internal changes to the plan form and addition of roof-lights, this harm is justified to enable bringing the buildings back into viable use. As such to grant consent for the works would be consistent with guidance in the NPPF.

5.2 Special regard to the desirability of preserving the building and features of special architectural or historic interest which it possesses has been undertaken as required by the Act. The harm is justified on the basis that the changes are required to enable re-use of the building. In addition a sympathetic approach has been utilised which leaves evidence where required of the historic layout.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIMEL2 Development start within 3 yrs (LBC/CAC)

2 The development hereby permitted shall be carried out in accordance with the following plans:-

Location Plan
035(PL) 001

Site Plans
035(PL) - 002, 003A

Block Plan
035(PL) 014A

Landscaping Plan
035(PL) 057A

Floor plans (with listed building notes)

Lodge
035(PL) - 040A, 041A, 042B, 043A

Extern House
035(PL) - 044A, 045A, 046B, 047A

Garden houses

035(PL) - 052A, 053A

Sectional Elevations

026A, 027A, 028A, 029A, 030A, 031A, 032A, 033A, 034A, 035A, 036A, 037A, 038A, 039A

Indicative Details

035(PL) 060 (secondary glazing)

035(PL) 061 (garden houses)

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

3 Large scale details

Large scale details of the items listed below shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works on the relevant building and the works shall be carried out in accordance with the approved details.

Lodge

- Typical section of internal walls where downstands retained
- Clerestory to 'pod' bathrooms
- Upgrading of internal doors
- New skirting/ architrave
- New staircase to second floor
- Door ironmongery
- Bay window at rear
- New access staircase at rear and landing and works to accommodate access into unit 3
- Secondary glazing
- Dormers and roof-lights

Extern House

- Making good to main entrance following removal of porch
- Clerestory to 'pod' bathrooms
- Upgrading of internal doors
- New skirting/ architrave
- Door ironmongery
- New access staircase at rear and landing and works to accommodate access into unit 9
- Secondary glazing

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Item No:

Boundary wall

- New timber gates (to include their relationship with the existing gates which are to be retained)

Reason: In the interests of the historic and architectural importance of the listed building.

4 Materials

A sample of the timber cladding to be used shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant works. The development shall be carried out using the approved materials.

Note: Because of limited storage space at our offices it would be appreciated if sample materials could be made available for inspection at the site. Please make it clear in your approval of details application when the materials will be available for inspection and where they are located.

Reason: So as to achieve a visually cohesive appearance and in the interests of the setting of listed buildings.

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