

COMMITTEE REPORT

Committee: Planning Committee **Ward:** Guildhall
Date: 26 October 2006 **Parish:** Guildhall Planning Panel

Reference: 06/01482/FULM
Application at: St Johns College Clarence Street York
For: Erection of new building for academic floorspace and conversion of 56 and 58 Lord Mayor's Walk to offices serving educational purposes
By: Trustees Of York St John University College
Application Type: Major Full Application (13 weeks)
Target Date: 29 September 2006

1.0 PROPOSAL

1.1 This application seeks full planning permission for the erection of a building to provide additional academic floorspace for York St. John University College on a corner plot located at the junction of Clarence Street and Lord Mayor's Walk at the northern end of Gillygate. The proposal involves the demolition of existing buildings associated with the former Wynsors retail outlet. The application also proposes the change of use of the adjacent 56 and 58 Lord Mayor's Walk, a pair of Grade II listed Georgian buildings from a single dwelling house and house in multiple occupation, to office accommodation to be used by the College for educational purposes.

1.2 The proposal is a complex building of predominantly three floors with a fourth storey towards the higher end of the site adjacent to the Fountains Learning Centre. On the south side the scheme wraps itself around the Grade II listed 56 and 58 Lord Mayor's Walk. The element of the proposed building, which sits on the corner of De Grey Street and Lord Mayor's Walk and adjoins the eastern gable end of 58 Lord Mayor's Walk, consists of a simple, overtly modern flat roofed building with a height to match the eaves of 58 Lord Mayor's Walk. The building appears to have a "floating" brick box projection above a grey rendered ground floor. It would have a large horizontal window looking down Lord Mayor's Walk.

1.3 The western elevation of the building onto Clarence Street is curved in contrast to the other main building elements which are arranged perpendicularly. This 12.8 metres high curved elevation, which measures approximately 38 metres in length along Clarence Street, would be constructed of patterned brickwork and would be set back from the site boundaries. This elevation details a number of small windows informally located on the part that faces down Gillygate and more conventionally sized windows (although set within deep reveals) along the length of the Clarence Street frontage.

1.4 Whilst the massing of the proposed new development relates consciously to the edges of the site, an internal semi public space would also be created. This courtyard also serves as a new pedestrian route passing diagonally across from the Clarence Street corner via the new courtyard and linking up with the cross campus route to the East of the Fountains Building.

1.5 A Traffic Regulation Order to close De Grey Terrace and De Grey Street to vehicular traffic is being advertised. Parking, which is reserved for permit holders on these highways would be replaced in Pay and Displays bays on Lord Mayors Walk. There would be no parking on the site. The building frontage on the Clarence Street elevation has been set

back to allow the future provision of a bus lane leading up to the Lord Mayors Walk traffic signals, should the Authority decide to proceed with this measure.

1.6 Whilst the 0.19 ha site of the proposed new development lies just outside the Central Historic Core conservation area, 56 and 58 Lord Mayor's Walk are included within it. The site is approximately 50 metres from the north corner of the City walls (Robin Hoods Tower) which are scheduled as an ancient monument. The site is bound on its north and east sides by De Grey Terrace and De Grey Street, which are themselves defined by the Fountains Learning Centre and the Foss Building, which were approved in 2001. The west of Clarence Street is dominated by Union Terrace car/coach park and to the south west, there are the two and three storey Victorian houses and shops fronting Clarence Street and Claremont Terrace, which back onto the car park. Immediately to the south of the site is a row of more recent two storey terraced houses.

1.7 The site has been used most recently by the Wynsors World of Shoes outlet and since its acquisition by the University College, it has been used for archive storage and for car parking.

1.8 The application is accompanied by the following supporting documentation: Design Report including Transport Statement, Archaeological Desk Based Assessment, Intrusive Ground Investigation Report, Arboricultural Survey and Bat Survey.

1.9 There is an accompanying listed building application relating to 56 and 58 Lord Mayor's Walk, which seeks approval for works to the gable end of 56 Lord Mayor's Walk and alterations to the curtilages of both listed buildings in order to facilitate the proposed new build aspects of the development.(06/01485/LBC).

1.10 This report in sections 3 and 4 refers to 'original', 'amended' and 'latest' plans.

Briefly, the 'amended' plans incorporated the following amendments:

- Reduction in building height by 1.7m
- Removed roof plant
- Reduced the west elevation overhang on Clarence St by 2.3m
- Introduced a "butterfly" pitched roof to the 4th floor
- Reduced the height of the curved wall by 0.8m
- Changed the materials from concrete to brick
- Increased glazing in the curved wall
- Amendments to the glazing of the element adjacent to 56/58 Lord Mayors Walk and setting back the ground floor.

The 'latest' plans include the following amendments:

- Revisions to the glazing in the curved wall
- Further set back to the element adjacent to 56/58 Lord Mayors Walk.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Areas of Archaeological Interest City Centre Area 0006

Conservation Area Central Historic Core 0038

Listed Buildings Grade 2; 56 Lord Mayors Walk York YO3 7EZ 0541

2.2 Policies:

CYSP3

Safeguarding the Historic Character and Setting of York

CYSP8

Reducing dependence on the car

CYGP1

Design

CYGP4A

Sustainability

CYGP3

Planning against crime

CYGP9

Landscaping

CYGP11

Accessibility

CYHE2

Development in historic locations

CYHE4

Listed Buildings

CYHE10

Archaeology

CYHE11

Trees and landscape

CYT4

Cycle parking standards

CYED5

Further and Higher Education Institutions

3.0 CONSULTATIONS

INTERNAL

3.1 HIGHWAY NETWORK MANAGEMENT

The users of the new development are likely to be students, staff and an existing commercial partnership, all of which are currently housed on the existing campus site. The proposals will result in a decrease of 40 parking spaces on the campus, and thus lead to a reduction in the number of vehicular trips generated.

Agreement has been reached with the Highway Authority on the principle of removing motor vehicles from De Grey Street and De Grey Terrace in order to create a quiet thoroughfare between these new buildings and the current Campus. A Traffic Regulation Order is currently being advertised to give effect to this measure, with the usual exemptions for emergency vehicles and statutory undertakers. As compensation for the loss of residents parking bays currently present on these two streets, the users will in future be allowed to share pay and display bays recently set up along Lord Mayors Walk, under a permit scheme.

The main pedestrian access point to the buildings will be at the junction of Clarence Street and Lord Mayors Walk where signalled pedestrian crossing points are already located. The servicing needs of the building will be met from existing servicing points on campus.

The building frontage on the Clarence Street side has been set back sufficiently to allow the future provision of a bus lane leading up to the Lord Mayors Walk traffic signals, should the Authority decide to proceed with this measure.

Although still remaining public highway, the College has indicated its desire to pave the full widths of De Grey Street and De Grey Terrace once general vehicular traffic has been removed.

A transport statement prepared by the College's transport consultants in support of the application demonstrates that the new buildings are in a sustainable location being in close proximity of the City Centre and public transport routes. The development will actually result in fewer vehicle trips to the site and associated student accommodation is within acceptable walking and cycling distance of the Campus.

In September 2003, the College produced a Green Travel Plan and since that time has been successful in achieving a 67% reduction in the level of parking at the College. A corresponding 75% increase in cycle parking has been achieved and the College is participating in a car sharing scheme set up recently by the City of York Council.

In conclusion there are no highway objections to the proposals subject to a number of standard highway conditions. The College will also need to obtain licences from the Authority in order to construct pedestrian footways over public highways in order to provide linkages with the upper floors of the buildings.

3.2 ENVIRONMENTAL PROTECTION UNIT

No objections to this application but recommend a number of conditions to protect the surrounding residents amenity while and after the development of the site. These conditions relate to hours of demolition and construction works, details of all machinery, plant and equipment to be installed and a contaminated land watching brief condition.

3.3 URBAN DESIGN AND CONSERVATION

3.3.1 Conservation / Urban Design

(Original Plans) Proposals seek to redress some of the negative qualities of the immediate environment by introducing a building which is a collection of strong interconnected forms. The forms help to define a better context for the mirrored pair of mid C19th houses on Lord Mayors Walk, by anchoring them to a new corner building onto De Grey Street. The approach would appear valid at strategic level; however Officers are concerned about the nature of the architectural response to its immediate urban context. The specific areas of

concern are: the two storey projecting overhangs at high level; the size and scale and material of the relatively stark mass on the corner; the expression of the building abutting the listed buildings; and possibly the overall height.

Overall St John's University College has the reputation of being friendly and welcoming. More of these qualities should come through the expression of the scheme.

(Latest Plans) Please refer to comments contained within para's 4.4.1 to 4.4.14.

3.3.2 Archaeology

The site lies in the Area of Archaeological Importance. There are no scheduled ancient monuments on the site. Gillygate and Clarence Street appear to have been the focus for most Roman and medieval activity in this area. The corner of Clarence Street, Lord Mayors Walk and Gillygate was known as the Horsefair in the medieval period. Documentary sources refer to a number of medieval foundations in this area: the chapel of St Anne, the hospitals of St Peter, St Anthony and St Mary. On the Union Terrace car-park excavations revealed continuous occupation from the late 12th to the mid 17th centuries. The pre 12th century deposits were not excavated. The first building, a substantial limestone structure, was used as the 13th century church of the Carmelite Friary and had an associated burial ground. In 1295 the Friars moved to a new site and this site was taken over and became St Mary's Hospital. In the 17th century the site was taken over for use by St Peter's school. A limited archaeological evaluation of the application site was carried out by ARCUS in 1993.

In March and April 2006, York Archaeological Trust undertook an archaeological and historic desk-based assessment (DBA) of an area of land focused on the application site at the junction of Lord Mayors Walk and Clarence Street. A report on this DBA has been submitted as part of the planning application. The DBA was designed to assess the archaeological and historic potential of the site. The DBA has shown the archaeological potential of the area to be generally high although details of the specific site are limited.

Appendix C of the Design Statement submitted to support the planning application states that "[the structural engineer] has been advised that excavations above 12.75mAOD are in fill of limited interest and below that level excavations are to be limited to 5% of the site".

As currently proposed in the application documents, the redevelopment is likely to damage or destroy a small percentage of archaeological deposits on the site. This damage is in line with that allowed by Policy HE10. The physical impact of the redevelopment can be mitigated if the following three planning conditions are imposed ; (i) an archaeological watching brief on ground reduction to 12.75m AOD, (ii) the archaeological excavation of all areas where elements of the building (excluding piles) extend below 12.75mAOD (ie lift pits, service connections) and (iii) a condition to ensure that the foundation system destroys less than 5% of the deposits preserved below 12.75m AOD.

3.3.3 Landscape

(Original Plans) Given that the scheme proposes to continue the building line of 56 and 58 Gillygate, there are no objections to the removal of the Yew. It currently serves a valuable purpose by adding amenity to the street and grounding the corner of/adding to the setting of number 56. However with the introduction of a suitable abutting building, the Yew would no longer be suitable. The Sycamore is reasonably visible from a public perspective but it has little intrinsic beauty; it is not a particularly good specimen; it is twin-stemmed; and it is in a poor location at the rear of the property, tight up against a boundary. The importance of the amenity of this corner junction was highlighted as a reason to retain the plane tree in this

location. A tree in this location fits in well with the design intention and acts as a foil for the juxtaposition of historic and modern architectural styles.

The introduction of a 2m wide bus lane would eradicate the line of mature silver birches along Clarence Street which are also a key part of the design. If this is the case, the proposals suggest that these would be replaced.

It is considered that the combination of setting the curved building back and its convex presentation to the street and the retention/or planting of trees around the perimeter presents a successful relationship between the listed buildings, the tree and the proposed building form. This arrangement creates a reasonable movement space in front of the development onto the Gillygate/Clarence Road junction, and the curve of the building leads naturally into the courtyard.

(Latest Plans) The proposals confirm that all the existing trees shall be replaced on a one for one basis. This is acceptable. The inclusion of Sedum roofs is welcomed.

3.4 DRAINAGE

The development is in low risk Flood Zone 1 and is not at risk from river flooding.

EXTERNAL

3.5 ENGLISH HERITAGE

(Original Plans) We do not wish to comment in detail but offer the following general observations;

(1) Welcome the confirmation that the curving wall structure will no longer be proposed in concrete but in brick, which will make the structure less oppressive. Consider that the ongoing review of the fenestration treatment should endeavour to achieve a sense of permeability and welcome.

(2) The design of the new building adjacent to 56 Lord Mayors Walk should reflect its location adjacent to a pair of grade II listed buildings and intrinsically acknowledge the function of the spaces within. The college was suggesting that the space was likely to be used for offices. A commensurate design is thus needed. In addition, we wish to see greater vertical design emphasis introduced into this element of the scheme given its abutment to the pair of town houses whose rhythm is vertical in emphasis also.

(3) The rear block which links the curved wall building with the De Grey Street element is long and unbroken at high level. The long unbroken flat roof design creates, in our view, an oppressive structure which overwhelms the roofscape and is wholly uncharacteristic of the roofscape of York. Also we are concerned that the proposed overhang at high level to Clarence Street is over large and without modelling or fenestration expression.

(Amended Plans) Some significant amendments have been achieved and we are now more comfortable with the proposal than previously. There is a need to secure a visually embracing and exciting building which will, as the curve of Gillygate is exposed, announce the campus to those arriving from town. Much progress has been made in this respect and the general height, mass and materials should make a dramatic statement at the Gillygate/Lord Mayor's Walk junction and be less jarring than when seen from the City Walls. However we continue to suggest that the hard and soft landscape approach coupled with the signage motifs will have an important influence on the new building here.

In terms of the extension abutment to the pair of houses along Lord Mayor's Walk, this still, in our view, is unresolved. The detailing seems to be complex when it doesn't need to be.

The jetty to the two elevations now appears to be more strident than expected, bordering on the unnecessary. We question the volume of detailing here and suggest that a simplification of the Lord Mayors Walk elevation is needed.

Elevations to the rear and at high level - Again a number of alterations have been secured, particularly at high level where more modelling and visual interest has been introduced which is welcomed.

Summary - We would not wish to be prescriptive about the style of architecture which should be chosen for this site. The area is less sensitive than many of the more central York sites and a degree of architectural freedom and expression does not seem in our view to be unreasonable in this location. However several aspects of the scheme remain strident and awkward and still sit uncomfortably in the essentially domestic location along Gillygate. Nevertheless we are of the view that the mix of architectural styles here could sit comfortably in the street scene and there should be a net gain of architectural excitement. Much of its success will however be dependent on the choice of materials and execution of workmanship at the highest level of skill.

Latest Plans - Comments awaited.

3.6 GUILDHALL PLANNING PANEL

(Original Plans) The Panel objects most strongly to the application which is wholly inappropriate to its prominent location on the edge of the conservation area and embracing two listed buildings. The Panel regret that this appears to be the worst design submitted by a leading institution for a city centre site. The design appears to incorporate the worst features of the (London's) South Bank brutalism of the 1960s. The Council is urged to follow CABE advice by seeking a re-design which creates a strong streetscape along Clarence Street/ Lord Mayor's Walk of terraced building's emulating the listed building and screening the large lecture theatre etc units to the rear. The current scheme cannot be improved and an early refusal is recommended.

(Amended Plans) The revised proposals have been examined. Despite the claims made, the revised proposals do not address let alone resolve the objections to this appalling scheme made in the Panel's earlier letter.

(Latest Plans) Despite the amendments submitted, the Panel continues to regard the proposals as alien to their surroundings and, above all, ugly.

3.7 CONSERVATION AREA ADVISORY PANEL

(Original Plans) The panel felt that the proposed alterations did not accord with their previous minute. The panel were divided with regard to the proposed attachment to the listed buildings but unanimous that no concrete should be used in the new build. The panel wish to see all further revisions.

(Amended Plans) The panel is now reasonably accepting of the Clarence Street elevation but do feel that the overhang does jar and disrupt the elevation. The panel feels that the impact could be lessened by using an alternative material and also emphasizing the vertical in line with the rest of the elevation rather than the horizontal. However the panel still have concerns with regard to the awkward way that the listed buildings are enveloped. The panel would prefer the listed building to have their own setting and be visually detached from the new build. The panel would like to see a planting scheme, which would connect the listed buildings with the existing St John's campus.

(Latest Plans) The panel feel that despite the alterations and modifications that have been made, none are an improvement on the original which was inappropriate, too big, dominating, overbearing and monolithic. The panel feels that this proposal detracts from the City Walls and is damaging to the setting of a listed building.

3.8 YORK CIVIC TRUST

(Original Plans) The York Civic Trust has no objection to the use of the application site for educational purposes, nor does it object to the demolition of the existing buildings on the site. It does however consider that the urban design analysis by the architects is fundamentally flawed and makes the following points;

(1) The design is unduly assertive and totally incongruous. Any building should provide a visual termination to Gillygate, which would sit happily in the pattern of existing development whereas its proposed form and massing are assertive and would terminate the views from Gillygate in an aggressive manner.

(2) There is an opportunity to "stitch" in a new development to repair the urban streetscape and to act as a foil to the existing post 2000 buildings of the College, which are too high and out of scale with their surroundings.

(3) The form, mass, scale and relationship of the proposed new buildings to their surroundings are totally alien to the grain and historic character of York. They ignore the scale of neighbouring buildings.

(4) The cladding materials for the main building are inappropriate for use in York. In particular, the use of concrete and large areas of timber is alien to the York Vernacular.

(5) Travelling from the north along Clarence Street, the projecting bulky timber accretion at 2nd and 3rd floor levels would intrude into views of York Minster and would destroy its dominance on the historic skyline.

(6) On balance, we'd agree with the Tree Consultants recommendation re the removal of the silver birch trees and replacement with more appropriate species. The London Plane tree is recommended for removal but is featured on all the perspective drawings. The removal of this tree will exaggerate the weakness, in townscape terms, of this corner.

(7) With respects to the proposed building adjoining 56/58 Lord Mayor's Walk, we say that few buildings have been proposed in York where the setting of listed buildings would have been so seriously harmed. It ignores the scale and character of these 18th century buildings. Ideally residential use should be retained. These listed buildings should have formed the starting point for the frontage development which would then have wrapped around the corner whilst respecting their scale and using their eaves as a benchmark.

(Amended Plans) The townscape values have failed to be addressed in this latest scheme. The amendments, in particular the substitution of brick for concrete, and a reduction in height of several buildings, do not address many of our earlier criticisms in respect of providing a visual termination to Gillygate; of respecting the scale and character of the listed buildings at 56/58 Lord Mayor's Walk; of overcoming the weakness on the corner of Clarence Street and Lord Mayor's Walk; and of the buildings being collectively too high for this location.

The new proposed use of recessed brickwork must rely on an engineering brick, not only because of the need for accuracy for implementing the design but also in order to be suitable durable. However this type of brick is alien to the York scene.

The building adjacent to No's 56 and 58 does not relate in anyway and is out of scale and character to the 19th century listed buildings. The eastern elevation of this new building would be a significant element when viewed from Lord Mayor's Walk and would be particularly visually disastrous.

3.9 YORKSHIRE WATER

If planning permission is to be granted, the following conditions are recommended;

- (i) Separate systems of drainage for foul and surface water
- (ii) Details required of the proposed means of disposal of foul and surface water drainage
- (iii) No piped discharge of surface water permitted.

3.10 LOCAL RESIDENTS

Two letters were received in response to the **originally submitted application**, making the following comments;

- (1) The scale of the building will overshadow the premises at St Margarets Court thereby cutting out natural light and will also obscure the view of the Bar walls from Clarence Street.
- (2) The materials and design of the building are reminiscent of all things bad about 1960s architecture. It would look in place in Stalinist Russia but alongside listed buildings and on the edge of a Conservation Area, it is a cheap and nasty eyesore. Textured concrete is inappropriate.
- (3) The pedestrianisation of De Grey Street and De Grey Terrace and the height of the buildings on both sides will provide two large dark corridors which is a safety and security concern. This is a contradiction to the Executive decision relating to the Arlight Centre, which stated that Marygate Car Park was unsuitable due to, among other things, "the proximity of alleyways and snickleways being a security and safety risk".
- (4) The intention to remove R14 Residents parking will cause disruption and add extra cost since the Pay and Display area is not safe, if further away from the houses and will require queuing and traffic chaos on Lord Mayors Walk to access.

Two further letters were received in response to the first set of **amended plans** making the following additional points;

- (1) The proposed structure is too high and will overshadow the Claremont Terrace and Clarence Street residences. The windows of the proposed overhanging wooden box will overlook the gardens of Claremont Terrace.
- (2) The structure ruins the setting of the two listed buildings in terms of height and proximity.
- (3) The height of the proposed structure is likely to act as a barrier/diverter to pollutant gases which are currently being channelled down Gillygate.
- (4) It is inappropriate to damage the view from arguably one of the nicest sections of the bar walls.
- (5) The roof line will be visible from the Minster and probably from the walls and will be totally out of scale for the area.
- (6) The artist's impressions which form part of the application are grossly misleading.

A further letter has been received in response to the **latest plans** noting that the amendments have not adequately addressed any of the raised by the Parish Council, York Civic Trust or anyone else. The letter reiterates the objections noted above.

4.0 APPRAISAL

4.1 The key issues are:

- principle of development
- impact upon character and appearance of Central Historic Core Conservation Area and adjacent listed buildings
- landscaping
- effect on archaeological remains
- transport issues
- sustainability issues

- impact on residential amenity

4.2 POLICY CONTEXT

The Development Plan comprises Regional Planning Guidance (RPG 12), North Yorkshire County Structure Plan (as amended 1995) and the 1956 Town Map.

RSS12 (Regional Spatial Strategy for Yorkshire and the Humber), which replaced RPG12 in December 2004, reflects Central Government advice in Planning Policy Guidance Notes. It seeks to strengthen the role and performance of existing city and town centres.

Policies E4, E5, and T9 of the North Yorkshire County Structure Plan are also of relevance. Policy E4 requires that buildings and areas of special townscape, architectural or historic interest be afforded the strictest protection. Policy E5 seeks to refuse development proposals which could result in damage to, or the destruction of, sites of archaeological importance. Policy T9 requires provision for car parking in all new developments, though with flexibility in centres of larger towns, conservation areas and in other areas of environmental significance.

In addition to the emerging Local Plan policies set out in section 2.2, Central Government guidance is also a material consideration. This is set out in the Planning Policy Guidance Notes and Statements, in particular in PPS1, PPG13, PPG15 and PPG23.

4.3 PRINCIPLE OF DEVELOPMENT

The site is unallocated for development within the City of York Draft Local Plan. However as the site lies immediately adjacent to a wider educational allocation for York St. John University College and in the context of Draft Local Plan Policy ED5, which states that the development of further and higher education institutions in York will be encouraged in accordance with Local Plan policies, the redevelopment of the site for educational purposes is considered to be acceptable in principle.

4.4 IMPACT UPON CHARACTER AND APPEARANCE OF CENTRAL HISTORIC CORE CONSERVATION AREA AND ADJACENT LISTED BUILDINGS

4.4.1 PPG15 (Planning and the Historic Environment) highlights the need for development proposals to preserve or enhance the character and appearance of Conservation Areas and similarly to respect the character, appearance and setting of listed buildings. Policy HE2 of the Draft Local Plan states that within or adjoining conservation areas, and in locations which affect the setting of listed buildings, 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.

4.4.2 The site occupies a corner plot just outside the Central Historic Core Conservation Area. It is situated to the north of Gillygate and is approximately on axis with this street. The two listed buildings are drawn within the designated conservation area boundary and would become part of the overall scheme. Details of their conversion are subject to a separate listed building consent application, which has recently been submitted.

4.4.3 Gillygate itself is a historic street, the Royal Commission volumes reporting that buildings were being constructed here as early as the 12th century. It now contains a variety of 2, 3 and 4 storey buildings mostly dating from the 18th, 19th and 20th centuries. The street was blighted in the 1960s and 70s due to proposals for an inner ring road in this

location. It is still busy with traffic though it remains an important pedestrian connection into the city centre. It also appears to be recovering slowly from its economically degraded state.

4.4.4 Lord Mayors Walk still possesses qualities of the "broad walk" which was created in the early 18th century from Goose Lane, though these qualities are diluted towards the junction with Gillygate and Clarence Street. Clarence Street is relatively recent having been formed in the early 19th century. Extensive clearances of the speculative Victorian terraced housing in this area were carried out during the second half of the 20th century. The lack of urban enclosure is compounded by the openness of the coach/car park, the line of trees not being sufficiently strong to define the carriageway or to compensate for the pollution and noise at the busy road junction. At present the site and its immediate environs onto Clarence Street offer a poor environment as the setting of the conservation area

4.4.5 The large brick shed abutting the rear boundary of the two listed houses (nos 56 & 58 Lord Mayor's Walk) and the extent of hard surfacing and car-parking detract from the setting of the listed buildings. Map evidence shows that the west gable elevation of No. 58 was exposed to the garden of an independent 3 storey house (originally called Clarence Cottage) which faced Clarence Street. Though a degree of openness at the head of Gillygate is of longstanding, the lack of a structured urban environment between the relatively new educational buildings and existing historic buildings is damaging to the image of the area so close to the City walls.

4.4.6 Officers acknowledge that the brief for the site is ambitious requiring the provision of facilities for the new Faculty of Professional Health and Life Sciences and a number of associated enterprise and outreach activities. The scheme seeks to redress the negative qualities of the site whilst providing an imaginative response to brief and context. It would be considered to make a significant architectural contribution in its own right and this has already raised the debate about the nature of new architecture in a historic context.

4.4.7 The proposed scheme addresses many complex and competing factors:

- it must operate as a stand-alone facility whilst relating to the existing network of routes and the primary access points elsewhere on campus.
- it must respect the scale of surrounding buildings i.e. the large scale of the Fountains Centre and the Foss Building to the north and east, the domestic properties and shops facing Clarence Street, and the two isolated listed buildings.
- it must provide clear internal organisation which accommodates the large volumes of the teaching spaces and smaller ancillary rooms.
- it must be legible from inside and out.
- the building will also be seen from the raised platform of the City Walls; so the roofspace is important.

4.4.8 The proposal is a complex building of predominantly three floors with a fourth storey towards the higher end of the site adjacent to the Fountains Learning Centre. The scheme wraps itself around an inner courtyard, integrating the listed building on the south side. The courtyard serves many purposes: technically it brings light and natural ventilation into the centre of the scheme; it creates a semi public area as an intermediate space between the street and the reception/control point; and importantly it pulls the new buildings back from the listed buildings in order to respect their setting. The new footprint also redefines the edges of De Grey Street and De Grey Terrace - these streets becoming pedestrianised. The curved wall along Clarence Street would be set back from the site boundaries allowing trees to filter views along the main route. This position also increases the separation between domestic properties on the west side of the street. At the junction with Gillygate the wall is set back 10 metres from the front elevation of the listed buildings. This creates a threshold

space at the entry point into the site from the city centre and it preserves the dominance of the listed buildings as seen from Gillygate.

4.4.9 The proposed building is expressed as a collection of strong inter-connected forms responding to different contexts on each side of the site. Whilst the strategic planning of the site appears ingenious, Officers have raised concerns about the nature of the architectural response to its immediate urban context. These concerns, which are listed below, are considered to have been addressed in the latest set of plans.

The extent of the two storey overhang onto Clarence Street

The overhang has been foreshortened by two metres allowing views of the Minster to be revealed earlier. Initially the overhang appeared contrived; however it provides incident as one progresses southwards along Clarence Street, echoing the much larger projection above the main entrance of the Fountains building. It also helps one understand the organisation of the building from outside the site.

The size, scale and material of the curved wall especially the relative mass facing Gillygate.

The curved wall on Clarence Street encloses inward looking teaching spaces which require privacy and protection from the noise and pollution of the external environment. Concrete has been replaced by brickwork. The use of local hand made bricks is being investigated. The fenestration pattern has changed to open up the façade with windows designed to relate internal functions. The wall will be deeply modelled, have texture and varied colour. It will appear rhythmic and interesting in night-time views.

The expression of the building abutting the listed buildings (No 56).

The corner unit housing the board room at first floor level has been set back from the main façade by 1.5 metres to allow the mirrored pair of houses to "read" separately. Visual separation is increased by the use of grey render which returns onto the exposed gable. The "brick box" projection is much lighter now and relates compositionally to the upper part of the listed buildings.

The overall height.

The overall height has been reduced by between 750mm and 1.5 metres. This has been achieved by reviewing the servicing and structural strategy. It is noted that the length and height of the curved wall compares with the façade of the Borders building on Davygate which is a more intimate pedestrianised environment.

The flat roofscape.

An inverted pitched roof has been introduced into the centre of the top floor. This will improve the skyline silhouette. Its south facing aspect would permit the use of solar technologies.

Bridge Connections

Officers are not concerned about the bridge connections in principle, if it makes the college function better. They would be set back from the main roads on roads internal to the development. They should be open and light-weight in design.

4.4.11 The joint English Heritage and CABE (Commission for Architecture and the Built Environment) document "Building in Context" suggests general criteria for judging whether a new building in a historic context has adopted "the right approach". The proposed scheme would meet the criteria, for example, sitting within the pattern of surrounding development, developing routes through and around the site, respecting important views, responding to the scale of neighbouring buildings, using building materials and methods of as high a quality of surrounding fabric, adding variety and texture to the city.

4.4.12 The "right approach" is not meant to be prescriptive and it applies to all building types. Over and above these general criteria, St John's College is a culturally significant building within York, its constituency reaching beyond the city boundaries. The proposal is expected to be of architectural significance above the "ordinary". Amongst its objectives for the new building the University College made the requirement that it should be "architecturally striking" and that it should make a strong statement about the importance of higher education in the city.

4.4.13 The historic fabric of York has embraced the strong forms of culturally important buildings in the past, for example, the early 18th Century Assembly Rooms intruding onto the medieval streetscene with its large scale pediment, its additional height being hidden under a roof top box set back from the main façade ; the 20th Century "City Screen" with its timber enclosure to one screen and its giant stone cantilever sheltering another (adjacent to the Guildhall).

4.4.14 Officers consider that the proposals do not appear to erode their environment. It is considered that the building would improve the urban structure creating a more legible, satisfying and interesting sequence of spaces. It would provide a better context for the listed buildings whilst respecting their position in the hierarchy of forms. The building would appear to work at many levels and its presence would enrich the setting of the conservation area.

4.5 LANDSCAPING

The site is lined by silver birch trees to the west and there is a plane tree, a sycamore and a yew tree located within close proximity to 56 and 58 Lord Mayor's Walk. It is proposed that 14 trees would be replaced by a minimum of 14 semi mature trees. This approach is an outcome of an arboricultural survey and the consideration that a 2 metre wide bus lane may be introduced at a later date, which would eradicate the line of the silver birches. The Council's Landscape Architect is satisfied with this approach subject to a condition requiring the submission of a detailed landscaping scheme.

4.6 ARCHAEOLOGICAL IMPLICATIONS

4.6.1 Policy HE10 of the Draft Local Plan states that planning applications for development that involves disturbance of existing ground levels on sites within York City Centre Area of Archaeological Importance will be granted provided applicants permit a field evaluation to assess the extent and importance of any archaeological remains and applicants can demonstrate that less than 5% of any archaeological deposits will be disturbed or destroyed.

4.6.2 As well as the desk based study carried submitted with the application, the applicant has carried out a full geotechnical site investigation. Although the site lies within the City Centre Area of Archaeological Importance and is therefore subject to Policy HE5 of the Draft Local Plan, the investigations have revealed that excavations above 12.75 m AOD are in fill of limited interest and below that level, excavations are to be limited to 5% of the site. The archaeologist is satisfied that the redevelopment is likely to damage or destroy only a small percentage of archaeological deposits on the site, in line with that allowed by Policy HE10 and considers it appropriate to attach conditions requiring a watching brief to be carried out on all ground works, an archaeological excavation of all areas where elements of the building extend below 12.75 m AOD and for details of the design of the foundations to be submitted and agreed prior to commencement of the development.

4.7 IMPACT UPON THE HIGHWAY NETWORK AND VEHICULAR / PEDESTRIAN SAFETY

4.7.1 PPG13 (Transport) encourages development in sustainable locations, sited to reduce the reliance on the private car

4.7.2 The submission includes a transport statement prepared by Faber Maunsell which analyses existing vehicular, pedestrian and cyclist movements and parking provision within and adjacent to the site.

4.7.3 The development would result in the loss of 40 parking spaces and would not include the provision of any additional car parking on the rest of the college site. It is therefore concluded that the development would not generate any additional vehicular traffic on the local road network or within the college site and would actually lead to a reduction in the number of vehicular trips generated. Pedestrian access points would be at the junction of Clarence Street and Lord Mayor's Walk where signalled pedestrian crossing points are already located. The application site is in a sustainable location being in close proximity of the City Centre and public transport routes with associated student accommodation being within acceptable walking and cycling distance of the campus.

4.7.4 Related to the proposed development are the associated amendments to the Traffic Regulation Orders which seek to prevent vehicles from using De Grey Street and De Grey Terrace. These streets currently operate as two way roads which form a link between Clarence Street and Lord Mayor's Walk and are used by vehicles to access existing parking facilities and to divert around the signalised Clarence Street/Gillygate/Lord Mayor's Walk junction. As compensation for the loss of residents parking bays currently present on these two streets, the users will in future be allowed to share pay and display bays recently set up along Lord Mayors Walk, under a permit scheme. Subject to the proposed alterations to the traffic regulation orders, it is not considered that there would be any significant adverse impact upon highway or pedestrian safety resulting from the development.

4.7.5 Future proposals for the provision of bus lanes along Clarence Street involve land to the frontage of the existing Wynsors site. The development would not prevent implementation of such a scheme since the building would be set well back from the carriageway.

4.8 SUSTAINABILITY ISSUES

4.8.1 Draft Local Plan Policy GP4A states that proposals for all development should have regard to the principles of sustainable development. For example development should minimise the use of non renewable resources, minimise pollution and maximise the use of renewable resources on development sites.

4.8.2 In 2003 the College prepared a Green Travel Plan, which included a series of measures aimed at reducing the need to travel and the use of more sustainable modes of transport. Since that time, the College has achieved a 67% reduction in the level of parking and a 75% increase in cycle rack provision.

4.8.3 The design report submitted with the application provides a set of objectives related to the sustainability of the project including the target BREEAM rating. The project has a target to achieve a BREEAM rating of "very good". The applicants anticipate that the building will meet or exceed the CO2 emission target based on the following particular factors;

- (a) High efficiency, condensing ultra low Nox heating boilers
- (b) High efficiency free cooling chillers

- (c) Utilising embedded underfloor heating as the primary heating system, to gain optimum benefit from the seasonal energy efficiencies available from the condensing boilers.
- (d) Using high efficiency light fittings to significantly reduce the installed lighting load.
- (e) Using power factor correction to optimise electricity consumption.
- (f) Providing high efficiency heat recovery to air handling plant.

4.8.4 It is recommended that a full sustainability assessment be carried out as a condition of any approval.

4.9 IMPACT ON RESIDENTIAL AMENITY

4.9.1 The nearest residential property to the Clarence Street 12.8 metre high "curved" elevation is the flat above 1 Clarence Street, which with the set back of the proposed building, would be located approximately 17.5 metres away. The minimum distance between the terraced properties located opposite the proposed two storey building abutting No.56 Lord Mayor's Walk, would be 18 metres. It is therefore considered that there would be no over domination, significant loss of light or loss of privacy for the occupants of these dwellings as a result of the proposed development. Whilst concerns have been expressed regarding the potential for overlooking into the gardens of Claremont Terrace, the gardens of Claremont Terrace are obliquely located at a minimum distance of approximately 31 metres from the proposed two storey overhang onto Clarence Street.

5.0 CONCLUSION

5.1 The application site and its immediate locality onto Clarence Street presently offer a poor environment as the setting of the Conservation Area. The proposed scheme seeks to redress the negative qualities of the site whilst providing an imaginative response to brief and context. Officers consider that the scheme before Members would improve the urban structure creating a more legible and interesting sequence of spaces and providing a better context for the listed buildings. Whilst making a strong statement about the importance of higher education in the city, the building would appear to work at many levels and it is considered that its presence would enrich the setting of the conservation area in accordance with national and local planning policies.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

- 1 TIME2 Development start within three years
- 2 The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details:-

Drawing No's;
P.12.01 Rev E, P.12.02 Rev F, P.12.03 Rev E, P.12.04 Rev E, P.12.05 Rev E
P.13.101 Rev A , P.13.102 Rev A,
P.13.10 Rev B, P.13.11 Rev E, P.13.12 Rev D, P.13.13 Rev B, P.13.14 Rev B,
P.13.15 Rev B
P.14.10 Rev C, P.14.11 Rev E, P.14.12 Rev F, P.14.13 Rev F,
P.28.01 Rev A
received on 26th September 2006

or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans.

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

- 3 The development shall not come into use until all existing vehicular crossings not shown as being retained on the approved plans have been removed by reinstating the kerbing and footway to match adjacent levels.

Reason: In the interests of good management of the highway and road safety.

- 4 HWAY18 Cycle parking details to be agreed

- 5 No gate/door/window shall be fitted so as to open outwards over the adjacent public highway.

Reason: To prevent obstruction to other highway users.

- 6 HWAY31 No mud on highway during construction

- 7 HWAY40 Dilapidation survey

- 8 Prior to commencement of any works, a detailed method of works statement shall be submitted to and agreed in writing by the Local Planning Authority. This statement shall include the precautions to be taken to ensure the safety of the general public, the method of securing the site, access to the site and the route to be taken by vehicles transporting demolition and construction material and the hours during which this will be permitted.

Reason: To ensure that the works are carried out in a safe manner and with minimum disruption to users of the adjacent public highway.

- 9 All demolition and construction works and ancillary operations, including deliveries to and dispatch from the site, shall be confined to the following hours:

Monday to Friday	08.00 to 18.00
Saturday	09.00 to 13.00
Not at all on Sundays and Bank Holidays	

Reason: To protect the amenity of the local residents.

- 10 Details of all machinery, plant and equipment to be installed in or located on the use hereby permitted, which is audible outside of the site boundary when in use, shall be submitted to the local planning authority for approval. These details shall include maximum sound levels (LA_{max}(f)) and average sound levels (LA_{eq}), octave band noise levels and any proposed noise mitigation measures. All such approved machinery, plant and equipment shall not be used on the site except in accordance with the prior written approval of the local planning authority. The machinery, plant or equipment and any approved noise mitigation measures shall be fully implemented and operational before the proposed use first opens and shall be appropriately maintained thereafter.

Reason: To protect the amenity of the local residents.

- 11 Any contaminated material detected during site works shall be reported to the local planning authority. Any remediation for this contamination shall be agreed with the local planning authority and fully implemented prior to any further development of the site.

Reason: To protect human health and the wider environment.

- 12 ARCH1 Archaeological programme required

- 13 ARCH2 Watching brief required

- 14 ARCH3 Foundation design required

- 15 No development shall take place until there has been submitted and approved in writing by the Local Planning Authority a detailed landscaping scheme which shall include the species, sizes, density (spacing), and position of trees, shrubs and other plants. The landscape scheme shall also include working details for tree pit trenches, back fill material, supports and surface finishes. This scheme shall be implemented within a period of six months of the completion of the development. Any trees or plants which within a period of five years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority agrees alternatives in writing.

Reason: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species within the site.

- 16 Prior to the development commencing, full details of the landscape proposals showing levels, hard and soft materials, planting, drainage layout, walls, external lighting, seating, gates and any other fixed artifacts, shall be submitted and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: So that the Local Planning Authority may be satisfied with the finished appearance of the development.

- 17 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 the development and the works shall be carried out in accordance with the approved details.

- a) Details of both bridges, including sections, elevations and soffit at 1:20 scale and details of junctions with the existing and approved buildings.
- b) Full height sections at 1:20 scale through all key points of the elevations. Drawings shall show typical and atypical conditions.
- c) 1:20 scale plans and elevations showing details of each walling type, these areas to be agreed with the Local Planning Authority.
- d) Large scale details through parapets
- e) Details of soffit of overhanging elements
- f) Large scale details of windows and doors
- g) External glazed walling systems
- h) Details of shutters
- i) Solar shading devices including applied units, louvres and blinds
- j) Details of any exposed plant or other equipment
- k) Details of rainwater disposal systems

Reason: So that the Local Planning Authority may be satisfied with these details.

- 18 Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development.

Reason: So as to achieve a visually cohesive appearance.

- 19 Several sample panels shall be erected on site for approval and reference during the course of construction. These shall include panels of the brickwork including typical lintol, cill and reveal details; panels of concrete work showing pertinent details: samples showing layout and bonding of all applied systems and samples of timber cladding. These panels shall be approved in writing by the Local Planning Authority prior to the commencement of building works and the approved development shall be completed in accordance with the approved samples.

Reason: So that the Local Planning Authority may be satisfied with the finished appearance of these details prior to the commencement of building works in view of their sensitive location.

- 20 A minimum clearance of 4.5 metres shall be maintained between the building hereby approved and the edge of the carriageway along Clarence Street.

Reason: To allow for the future provision of a bus lane.

- 21 No development shall take place until there has been submitted and approved in writing by the Local Planning Authority, a full report detailing how the environmental assessment rating (BREEAM) set out in the design statement, will be achieved.

Reason: In the interests of sustainability.

7.0 INFORMATIVES:

Notes to Applicant

1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the impact on the Grade II listed buildings and the Central Historic Core Conservation Area. As such the proposal complies with Policy E4 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and Policies SP3, SP8, GP1, GP4A, GP3, GP9, GP11, HE2, HE4, HE10, HE11, and ED5 of the City of York Local Plan Deposit Draft.

2. Demolition and Construction

The developer's attention should also be drawn to the various requirements for the control of noise on construction sites laid down in the Control of Pollution Act 1974. In order to ensure that residents are not adversely affected by air pollution and noise, the following guidance should be attached to any planning approval:

- (i) The work shall be carried out in such a manner so as to comply with the general recommendations of British Standards BS 5228: Part 1: 1997, a code of practice for

"Noise and Vibration Control on Construction and Open Sites" and in particular Section 10 of Part 1 of the code entitled "Control of noise and vibration".

(ii) All plant and machinery to be operated, sited and maintained in order to minimise disturbance. All items of machinery powered by internal combustion engines must be properly silenced and/or fitted with effective and well-maintained mufflers in accordance with manufacturers instructions.

(iii) The best practicable means, as defined by Section 72 of the Control of Pollution Act 1974, shall be employed at all times, in order to minimise noise emissions.

(iv) All reasonable measures shall be employed in order to control and minimise dust emissions, including sheeting of vehicles and use of water for dust suppression.

(v) Any asbestos containing materials shall be removed by licensed contractors to a licensed disposal site.

(vi) There shall be no bonfires on the site.

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