

COMMITTEE REPORT

Date: 15 June 2017 **Ward:** Guildhall
Team: Major and **Parish:** Guildhall Planning Panel
 Commercial Team

Reference: 17/00285/LBC
Application at: Joseph Rowntree Memorial Library Haxby Road York YO31 8XY
For: Demolition of buildings to the rear and erection of rear extension to
 accommodate a concierge, community room and cycle store
By: York 123 Ltd
Application Type: Listed Building Consent
Target Date: 7 April 2017
Recommendation: Approve

1.0 PROPOSAL

1.1 This application relates to the Joseph Rowntree Library which was built in 1927 after the death of Rowntree. The library is listed at grade II due to its association with Rowntree and as it is an unaltered example of Arts and Crafts inspired architecture with high quality fixtures and fittings.

1.2 The building to the immediate rear of the library is now connected. It dates from the second half of the C20. It is single storey and encloses a subway underneath the library and Haxby Road, which connects to the former dining block on the opposite side of the road. The buildings behind which are proposed to be demolished are single storey flat roofed buildings which appear to have been constructed in the late 1970s/early 1980s to provide a bank and other amenities on site.

1.3 The application is for listed building consent to demolish C20 structures connected to the library and replace them with a single storey building. The building will provide an enclosed courtyard space and a community hub for future residents.

2.0 POLICY CONTEXT

2.1 Section 38(6) of the Planning and Compensation Act 2004 requires that determinations be made in accordance with the development plan unless material considerations indicate otherwise. There is no adopted Local Plan in York. In the absence of a formally adopted local plan the most up-to date representation of key relevant policy issues is the National Planning Policy Framework (NPPF) and it is against this Framework and the statutory duty set out below that the application proposal should principally be addressed.

2.2 NPPF – Paragraph 14 of the National Planning Policy Framework (NPPF) says that at the heart of the NPPF is a presumption in favour of sustainable development for decision taking this means that where the development plan is absent, silent or relevant policies are out-of-date granting planning permission unless specific policies in the framework indicate development should be restricted. (Foot note 9 indicates restrictions include Green Belt locations, flood risk areas, site protected under the Birds and Habitats directive and Sites of special scientific interest). The presumption in favour of sustainable development does not apply to this application, as the site affects designated heritage assets and therefore falls to be determined against the more restrictive policies in the NPPF at Section 12.

2.3 Section 12 of the NPPF relates to the conservation and enjoyment of the historic environment. Paragraph 129 states that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including any development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal. Paragraph 134 says that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefit of the proposal, including its optimum viable use. However, it should be noted that lawful application of the statutory tests in the 1990 Act requires considerable importance and weight to be given to any harm to a listed building or conservation area, in the planning balance.

Statutory Duty

2.4 Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority when determining applications for listed building consent to 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.

Other material considerations

“Development Control Local Plan” 2005 (DCLP)

2.5 Although there is no formally adopted local plan, the “City of York Draft Local Plan Incorporating the Fourth Set of Changes” was approved for development control purposes in April 2005. Whilst it does not form part of the statutory development plan for the purposes of S38, its policies are considered to be capable of being material considerations in the determination of planning applications, where policies relevant to the application are in accordance with the NPPF. Policy HE4 Listed Buildings is considered to be compatible with the aims of the NPPF and most relevant to the development.

3.0 CONSULTATIONS

Design, Conservation & Sustainable Development

3.1 Officers do not object to the scheme although their preference would be for a minor increase in openness between the courtyard proposed at the rear of the listed library and the gardens and play space proposed to the south.

3.2 The proposed new development here is designed as a combination of known group uses (bike store, reception etc) with some more desired and yet undetermined group uses (flexible space). It is positive that the applicant sees value in investing in this type of space as a contributor to community cohesion and in locating it next to the former library it appropriately builds on the capacity for communal uses in one place.

3.3 The applicant sees value in retention of the former subway structure (although identified as “detrimental to the area...” in the conservation area appraisal) as a design starting point for the new ring of courtyard buildings. These sit much lower than the ridge of the library and do not dominate it. They are expressed as contemporary in the diamond (likely zinc) roof tiles (inspired from archive records of earlier roofs here). This positive re-evaluation of the subway structure is also supported here. Infilling of floor is an inevitable consequence of making usable space given that the subway is redundant.

3.4 The main focus between applicant and LPA during design development has been the degree of privacy/enclosure and the degree of communal purpose/connectivity with the large green space (so as to activate open space by use). This is mostly expressed through the size of footprint opening on the south side. Currently it is still slightly more narrow than desired by LPA.

3.5 Officers recommend conditions to secure:

- A (conditioned) revision to slightly widen the opening to the landscape would be desirable.
- A scheme (decorative or otherwise) to acknowledge the previous presence of the subway stair void would be desirable.

EXTERNAL

3.6 As demolition was proposed the national amenity societies have been consulted on this application. No responses have been received.

York Civic Trust

3.7 York Civic Trust does not object in principle to the demolition of buildings to the rear of Joseph Rowntree Memorial Library. The trust considered it important that future use of the library be one which granted public access.

Publicity

3.8 No representations have been made in response to the site notice and Press notice.

4.0 APPRAISAL

Key Issues

4.1 Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority when determining applications for listed building consent to 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 Planning Policy

4.2 The NPPF 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.

Assessment

4.3 The proposals would reuse the library and the buildings proposed behind as a community hub. The use would be consistent with the conservation of the building and improve its viability. There are no internal or external alterations proposed to the original library building.

4.4 The Design and Access statement explains and justifies the proposed design approach, which is inspired by a historic layout and use of the space behind the library. The buildings attached to the library which are proposed for demolition are identified as being buildings which have a neutral impact on the setting in the conservation area appraisal. Proposed replacement buildings would be low in scale and sit behind the library. There would be no material impact on the visual prominence of the library within the street.

5.0 CONCLUSION

5.1 The scheme leads to the loss of C20 buildings which are not prominent in public views and have a neutral value to the library and its setting. The scheme would bring the library back into a communal use and introduce a building which by virtue of its single storey scale, proposed shape and harmonious materials would improve the setting. There would be no harm to the historic and architectural importance of the library.

5.2 Proposals are in accordance with the NPPF policies on conserving and enhancing the historic environment, in particular paragraph 126 (referred to in 4.2) by virtue of putting the listed building into a viable use consistent with its conservation, which will provide an amenity for residents. The re-development scheme is informed by an assessment of the historic use of the site and will make a positive contribution to local character and distinctiveness.

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:-

Proposed site plans 26980(02)40m
Floor plans 26980(02) 62e, 63b,
Elevations 26980(04) 30d, 31c, 32b, 33b

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

3 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 construction of the new wing to the library hereby approved. 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: In the interests of the appearance of the listed building.

4 Large scale details showing typical sections through the building shall be submitted to and approved in writing by the Local Planning Authority prior to

construction of the new wing and the works shall be carried out in accordance with the approved details.

Reason: In the interests of the appearance of the listed building.

5 Details of the items listed below shall be submitted to and approved in writing by the Local Planning Authority prior to construction of the new wing and the works shall be carried out in accordance with the approved details.

- a) The means acknowledgment of the steps and underpass under Haxby Road following the closure and infill of this area.
- b) Details of the extent of the opening between the courtyard and the gardens to the south.

Reason: In the interests of the historic interest and setting of the listed building.

Contact details:

Author: Jonathan Kenyon Development Management Officer

Tel No: 01904 551323