

COMMITTEE REPORT

Date: 2 February 2023 **Ward:** Guildhall
Team: East Area **Parish:** Guildhall Planning Panel

Reference: 21/02109/LBC
Application at: NHS Property Services Limited Bootham Park Hospital Bootham York YO30 7BY
For: Demolition, including Pauper Wings and curtilage buildings, internal and external alterations and new buildings in association with change of use to residential care community. Associated external works.
By: Enterprise Retirement Living Ltd _ NHS Property Services Ltd
Application Type: Listed Building Consent
Target Date: 10 October 2022
Recommendation: Approve after referral to Sec. of State

1.0 PROPOSAL

Application site

1.1 The application site relates to the Bootham Park Hospital main building and its grounds including the east access from Union Terrace and the estate cottages and lodge building situated alongside the main approach road from Bootham. The application excludes the Grade II Chapel building, which remains as offices used by the NHS.

1.2 Bootham Park Hospital was closed by the NHS in 2017 and has been vacant since. The buildings previously provided residential accommodation and outpatient care. The NHS services have been re-provided at the Haxby Road site (which opened 2020).

1.3 The Council considered the viability of bringing the site back into use, which included public consultation, in 2019. The project was not progressed and the NHS agreed sale of the site to the applicants in 2020.

Heritage assets

1.4 Bootham Park Hospital originally opened as York Lunatic Asylum in 1777, the fifth public asylum to be founded in England. It remained in continuous use until its closure in 2015 and the survival of the original plan forms and interiors, together with the subsequent phases of development of the hospital, contribute to our understanding of the development of mental health care from 1777 to the present day.

1.5 The original Bootham Park Hospital building is the front-range, designed by John Carr, which faces south towards Bootham. This building is dated 1777 and is grade I listed. A complex of buildings developed over time and when Historic England updated the listing description in 2016 separate areas were listed Grade I and Grade II. Some areas are unlisted. The listing descriptions are -

- Grade I - The front range dated 1772, 1886 link (behind) and 1817 range and 1908 extension.
- Grade II - Two long corridors, recreation hall, former American bowling alley, and two former Pauper Wards
- Grade II – superintendent's house
- Also Grade II - Former Chapel (1865), Bootham lodge gates and railing and boundary fence (railings) with Bootham School.

Proposals

1.6 This is the listed building consent application that has been submitted alongside full planning application 21/02108/FULM for redevelopment of the Bootham Park Hospital site.

1.7 The scheme proposes an extra-care residential community (172 residential units with 24-hour care), which would entail residential accommodation and amenities including communal and health and well-being facilities, associated ancillary spaces, café with public access and the associated landscaping of the site. The site would have public access, in the form of the pedestrian/cycle routes through the site, public open space and sports facilities.

1.8 The works to listed buildings to facilitate the scheme include the following -

- Re-use of Grade I building
- Demolition of Grade II structures on the west side of the site (known as Pauper Wings)
- New build to west and north of retained buildings

- New main entrance (providing level and inclusive access) and café (within existing 1970's extension) open to the public on the east side of the buildings. The works update the 1970's single storey extension. The alternative entrance is proposed as the main (south) entrance to the grade I listed building would require a significant ramp to provide level access (discounted as an option in agreement with Historic England).
- Demolition of the estate cottages (positioned along access road and not listed in the Historic England listing); replacement with 3 storey accommodation.
- Gatehouse converted to residential.
- Restoration of Grade II listed boundary railings

2.0 POLICY CONTEXT

Planning (Listed Buildings and Conservation Areas) Act 1990

2.1 Sections 16(2) requires that special regard shall be had to the desirability of preserving listed buildings or their settings or any features of special architectural or historic interest which they possess.

NPPF

Section 16 Conserving and enhancing the historic environment explains the process in determining applications which may cause harm to designated heritage assets.

Publication Draft Local Plan 2018 (DLP 2018)

2.4 Key relevant policies

D5 Listed Buildings

3.0 CONSULTATIONS

Design Conservation & Sustainable Development - Conservation Architect

3.2 Officers advise that many changes are proposed and the harm is cumulative. There needs to be a clear and convincing argument that the need for so much development is outweighed by the public benefits of bringing the buildings back into use. A high level of harm is identified.

3.3 In respect of the new build officers differ in opinion to Historic England and

would have preferred a less generic approach to the new build elements on the site. There appears to be little attempt to ensure the new build elements reflect their specific context and a standardised approach to the proposals has been used. Officers understand this is due to the nature of the use which requires specific layouts to meet the needs of the prospective residents. It's disappointing, however, that a more bespoke solution to the façade treatments has not been taken. The development adjacent to the John Carr building and surrounding the Chapel are too similar in style with no differentiation. The proposals are extensive with large areas of new build; claimed to be necessary by the applicant to facilitate the scheme. There is a negative impact on the setting of the John Carr building, in officer's opinion, due to the scale of the proposals and the style chosen.

John Carr Building (grade I)

3.4 Plan form - officers regard the central axial corridors with views to the parkland and the boardroom as a major contributor to heritage value. The scheme originally proposed interventions in these areas. The proposals have now been revised to preserve these aspects of the building. Also in the north wing the corridors and the contribution they make to 'architectural and artistic interest' and 'historic interest', is highly important. Initially the plan form in the North Wing would have been lost and this had a negative impact on significance. The submitted amendments have ameliorated this whereby more of the plan form including a staircase is preserved.

3.5 A more subservient addition to accommodate the café was requested. The scheme has been revised and the café would be accommodated within the existing building footprint. This enables retention of a Category A rated tree in this area also.

New build

3.6 A standard solution to the new build has been taken and rolled out across each area of development. The only successful way to provide new buildings in a historic setting is for them to reference their context and to fit seamlessly into their surroundings. This doesn't mean a slavish copying of the existing or that a modernist approach can't be successful. In all cases officers do not consider this has been achieved. The new build elements do not successfully integrate or respect the significance of the heritage setting.

Chapel Site

3.7 The scale of the proposed development is too large in terms of amount and height. The development would harm the setting of The Chapel and the wider setting of the various heritage assets (including the importance of the landscape). A maximum building height of two-storey is recommended.

Estate Cottages

3.8 The existing building form is appropriate and the buildings contribute to the character and appearance of the area. The proposed replacement building is generic in its form. Due to the large building scale the proposed development will

have a negative impact on views and vistas along the approach road.

Demolition of Pauper Wings

3.9 The loss of this phase of the building at Bootham will cause substantial harm in terms of the NPPF advice. However, officers acknowledge this part of the building is in a poor condition and that the replacement of the Pauper Wings is, on balance, the most appropriate location to accommodate new development if necessary, to enable buildings of the highest historic significance to be restored and brought back into use.

EXTERNAL

Historic England

3.30 The complex has been largely vacant since the withdrawal of the NHS mental healthcare services in 2015. It is therefore crucial to find a solution which delivers the long sustainability of the complex while protecting the special interest of the site. Historic England set out the significance of the complex, summarises the effects of the scheme, outlines the policy approach and their position on the scheme.

3.31 The greatest single harmful impact will be the loss of the pauper wings; representing substantial harm to the significance of the Grade II listed buildings. Any such harm should be exceptional. However, this should be considered in the context of the potential public benefits to be derived from the re-use of the wider site. Historic England have not objected to this aspect of the scheme.

3.32 The cumulative impact of the changes proposed is considerable. Justification is required for the scale of intervention proposed and the level of harm that will result, or that a less intensive scheme is not viable. Historic England do not object to the proposal, but they do have concerns and ask that the authority be satisfied that that this degree of harm is required to deliver the level of public benefits.

3.33 On commenting on revised plans Historic England advised –

- Welcome revisions to the scheme affecting the John Carr Building.
- It is still proposed to divide or open up a significant proportion of the cells to create apartments. This is particularly regrettable in the north wing (former Female's Wing) where changes erode legibility. (officer note - plans have since been revised further to retain more of the historic plan form in this area)
- The scheme shows a generally thoughtful approach to the higher graded blocks which will see the impressive communal and circulation spaces harnessed for the new community. The retention of the open nature of the site and public access to it is also welcomed, as it will ensure the experience of the main building and its

prominence are retained and that the site continues as an active part of the wider neighbourhood.

- The new residential blocks have largely been distributed to minimise their impact on the retained buildings and landscape. Appearance, scale, massing and the selection of materials relate well to the site and some of the key characteristics of the retained buildings, without seeking to imitate them. There remains some concern over the complexity of the elevations and the consequent ability to provide a visual distraction. However, the result is generally a good quality of new architecture which fits with the character of the site.

Guildhall Planning Panel

3.34 Pleased to see the site developed and the retention and importance of the Carr Building. Have issues with some of the more detailed design. New development should not affect the setting of the Carr Building and the existing landscaping of the site.

- The south-west block is too dominant and needs to be positioned more to the north.
- Object to replacement of the attractive pitched roof Estate cottages with an oversized 3-storey block.
- The Northern block is unacceptable and leads to the loss of many mature trees which add biodiversity. Development to the rear of the main building seems to have ignored the need to keep mature trees as part of the landscape.
- On new build, the confusing details and massing arrangements of projecting balconies and stepped facades are considered unattractive and not complementary to the main buildings.
- Car parking - the number of spaces seem excessive (and should not lead to tree loss). Officers note - since these comments were made the number of car parking spaces have been reduced and spaces have been moved away from Category A rated trees on the eastern side of the site.
- Combined cycle and pedestrian paths should be at least 4 metres wide, or better still pedestrian and cycle routes separated. Officer note - the proposed lanes are segregated and each 2m wide.

Historic Buildings and Places (Amenity Society)

3.37 Object to the application. Welcome the reuse of this important group of buildings, aspects of the proposal represent substantial harm to the significance of the buildings and conservation area, particularly the demolition of the Pauper Wards.

Demolition

3.38 The Pauper Wards have a distinct identity and represent a major part of the

grade II listed buildings. They are of national significance and were re-designated as Grade II by Historic England in 2016. Historic Buildings and Places are not convinced suitable justification has been provided at this stage to demonstrate why they cannot be retained and sensitively adapted and extended to provide the desired accommodation on the site.

New Build

3.39 The design, scale, materials and fenestration of the surrounding buildings are critical to the setting of the John Carr Building. The replacement buildings are considerably bigger in scale and mass than the smaller and narrower footprints of the existing buildings.

Internal alterations to John Carr building (Grade I)

3.40 Disappointed by the proposals for enclosure of the long corridors and hallways, particularly the upper levels of the John Carr Building, and the loss of the planform and connectivity that characterises this building. (Officer note: this is addressed in the revised scheme).

Cottages

3.41 The hospital was originally designed as a grand country house set in open parkland and is vital to the setting of the John Carr Building and understanding of the site as the open space was considered a therapeutic landscape for exercise, contemplation and wellbeing. The range of unlisted cottages along the main drive from Bootham are undistinguished but of a small scale and are appropriate in terms of the grand approach to the main 'house' along the avenue of lime trees. Given this context, do not support replacement with a long modern three storeys block of flats, which would be inappropriate in terms of height, design, scale and mass within the parkland. Consideration should be given to adapting the existing cottages, rather than intensifying development in this part of the site. Officer note – conversion has been discounted as an option by the applicants; it could not provide accommodation meeting the standard required for older person's accommodation, taking into account accessibility requirements.

The Georgian Group (Amenity Society)

John Carr building (Grade I)

3.42 Objected to the proposed plan form on the upper floors. In the proposed plans, the corridors have been subdivided, with associated views of the terminal windows lost to private residential space. The central axial corridors are a critical element of the plan form of the buildings and should be maintained on all floors. (Officer note: the layout has been revised and this is addressed in the revised scheme).

Demolition of Pauper Wings

3.43 Suitable justification not provided to demonstrate why the Pauper Wings could not be retained in some form. The demolition of the existing listed buildings would

result in substantial harm to the significance of the both the existing and retained buildings and to the character of the conservation area.

Victorian Society (Amenity Society)

3.44 Object. No clear and convincing justification is provided for the interventions proposed, recommend that the proposals are revised to retain and adapt at least the pauper wings, and to reconsider the proposed designs and siting of the proposed new-build elements.

3.45 Demolition of Pauper wings will mean that the most substantial traces of a historically important aspect of the hospital will be entirely lost. The demolition also involves the truncating of the corridors connecting the Pauper Wings to the main building, which retain their high-quality decorative schemes from 1886.

3.46 The buildings proposed to replace those on the western part of the site will harm significance because of the qualities of their design. Although the later additions to the complex are of several different phases and display variation in their details, they nonetheless almost all speak the same language, which is derived from the style of the John Carr building. The proposed new buildings not only are clearly of a single undifferentiated phase of considerable bulk, but also reject most of the characteristic forms of the existing buildings.

The Chapel

3.47 The buildings proposed to the east of the site will cause harm by radically altering the settings of the listed chapel and the complex as a whole. The open parkland character of the site is a key aspect of its historical and aesthetic importance; more specifically, the open space around the chapel is important to the building's visual effect. The proposed new blocks intrude severely on the chapel's setting, leading to a much more urban and domestic setting. The scale of the proposed buildings is overbearing; their materiality jars terribly with the coherent materiality of the chapel.

Superintendent's House

3.48 Noted the loss of fabric that would occur due to the loss of the staircase. (Officers note: the revised scheme retains the staircase).

Conservation Areas Advisory Panel

3.49 No objections in principle. Comment on specific elements as follows –

Chapel site

- The Panel had no objection to the proposed design but considered the choice of materials and in particular the brick type and colour were important. Sample panels should be requested which could be viewed on site by the planning

authority.

Estate Cottages

- The proposal is for a more prominent building that could compromise the setting of the John Carr building as seen on walking up the drive from the lodge. If retention and adaptation of these buildings is not practical, the new building should only be of two storeys.

Pauper Wards

- The design of the new building had changed considerably from that seen previously, it was felt that this design was much improved. The Panel's view was that the new build should be of a much lighter brick, contrasting with the John Carr building and being more akin to the brick used on the houses on Grosvenor Terrace across the railway line.

York Civic Trust

3.50 Key aspects of this application the Trust supports - such as the principle of redevelopment as a residential home for the elderly; the principle of the landscaping offering public access to it, and the provision of a therapeutic walking route; the external conservation of the main John Carr building, and scale and design of the proposed cafeteria.

3.51 Unable to support the application in its current form due to: the uniformity and choice of design of the new build development which would surround and risk adversely impacting the John Carr building and former chapel; the loss of the estate cottages on the access lane and the scale and design of the proposed replacement block.

3.52 The value and importance of the estate cottage buildings is as part of the curtilage of the historic asylum, as identified in the Listing description. The views from Bootham and when approaching the main former hospital buildings along the lane off Bootham (identified as Key Views (1 & 2) are of 'High Value' in Purcell's Historic Building Appraisal. Key views would be adversely affected by the new buildings.

3.53 Individually the proposed blocks have merit and have been considered alongside the heritage structures, but collectively they are dominant and suffer from a uniformity that results in an overall underwhelming transformation of the site. The similar heights and ubiquitous preference for flat roofs risks the site being read as 'blocky'. Providing more rhythm in the roofline would help to this end.

3.54 The brick colour for the new build blocks should not be a matching tone to the John Carr building, such an approach would drown out the excellence in architectural design of this C18 building. Use of a lighter brick colour would help add

interest to the new build and soften its massing impact.

3.55 Car parking is overly generous and contrary to the ambitions and policies of City of York Council and soon to be Government's Zero Carbon Strategy.

4.0 REPRESENTATIONS

4.1 Two contributors to the application. Comment as follows –

- Demolition of the two wards built in the 1850s for patients of slender means. These are listed as Grade II the demolition of which is considered in planning policy guidance to be exceptional. The Council should assess if the justification given by ERL is sufficient.
- The conversion of rooms in the Grade I John Carr frontage building to individual flats is not ideal as the character of the rooms is eroded. The challenge to create flats without unduly harming the quality of the existing rooms is difficult. However thinking outside a standard formula to produce unusual spaces perhaps without inserted corridors which divide rooms of good proportions, may provide flats of unique character where rooms share uses. This aspect needs to be revisited as Heritage England implies.
- An important aspect of the whole site is the function of the therapeutic landscape. This is relevant to the new occupants of the flats and was to the patients when the hospital was a major caring centre within Yorkshire. The landscape could be intruded on as a consequence of new roads, parking areas and servicing. It is accepted that in respect of servicing the applicants are constrained by the land provided by the NHS.
- The range of small cottages (unlisted) to the south of the main drive from Bootham and the Lodge is undistinguished but appropriate in terms of the grand approach to the main 'house'. These cottages are of similar scale to the listed Grade II lodge at the Bootham entrance. The proposal of replacement by a long modern block of three storeys is inappropriate and requires a bespoke design. As the main aspect faces north-west across the drive residents could be likely to call for trees of the main Lime Avenue to be removed because of a lack of daylight.
- Request for contributors to be notified, so they may participate at committee.

5.0 APPRAISAL

KEY ISSUES

5.1 The key issue in respect of the listed building consent application is the effect on the listed buildings on site and their setting.

5.2 In assessing impact on designated Heritage Assets the NPPF advises Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset). It goes on to advise how applications should be determined, taking into account potential impacts.

5.3 Paragraph 201 refers to substantial harm and states that “where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use”.

Paragraph 202 goes on to state 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 benefits of the proposal including, where appropriate, securing its optimum viable use”.

5.4 Officer’s recommendation is that there is substantial harm to public benefits and so the public benefits test in paragraph 201 of the NPPF applies. The harm is necessary to achieve substantial public benefits that outweigh the cumulative harm. The substantial harm is in the demolition of part of the Grade II part of the complex which is necessary to provide sufficient purpose-built older persons accommodation on-site, to allow the restoration of the Grade I parts of the hospital (with maximum retention of historic fabric and minimal effect on the setting, the latter by containing development so, as with all later extensions, it does not intrude on views of the Grade I façade overlooking its principle landscape setting). Further to this, the second criteria of NPPF paragraph 201 would apply. Re-use of the site will require a significant amount of intervention to be viable. All other options for redevelopment considered since the site was made available for sale would have lead to harm (and involved demolition of the Pauper Wings and new build around the chapel); they

were not deemed viable, and did not progress; the initial preferred bidder for the site withdrew and the council decided against progressing an attempt to purchase the site. The site is in urgent need of re-occupation, this scheme proposes a sensitive re-use of the asset of highest, exceptional significance, restoration of the main gardens and public access. There are further public benefits associated with the proposed residential accommodation that would be provided. Overall, the public benefits of the scheme are sufficiently substantial to outweigh the identified harm.

APPRAISAL

5.5 The original Bootham Park Hospital building is the front-range, designed by John Carr, which faces south towards Bootham. This building is dated 1777 and grade I listed. A complex of buildings developed over time and when Historic England updated the listing description in 2016 separate areas were listed Grade I and Grade II. Some areas are unlisted. The scheme affects the following listed buildings and structures -

- Grade I - The front range dated 1772, 1886 link (behind) and 1817 range and 1908 extension.
- Grade II - Two long corridors, recreation hall, former American bowling alley, and two former Pauper Wards
- Grade II – Superintendent’s House
- Also Grade II - Former Chapel (1865), Bootham lodge, boundary gates and railings.

5.6 Historic England advise that Grade I buildings are those of “exceptional” importance and comprise only some 2.5% of all listed buildings. Grade II buildings are of special interest warranting every effort to preserve them. Over 90% of all listed buildings are Grade II.

5.7 The scheme has been informed by the Historic Buildings Appraisal (Purcell 2015) and Bootham Park Hospital Conservation and Design Parameters (Purcell 2018) document. The understanding of significance is comprehensive and the latter document provided a set of conservation and design principles and parameters designed to inform change at Bootham Park Hospital. Principles which inform the scheme include -

- Maximum retention of historic fabric, providing this does not conflict with another primary heritage value.
- Any new buildings should seek to reuse the footprint of the existing buildings as a starting point to minimise visual impact. Additional new structures should be developed in areas with greater capacity for change.

- Development causing harm to the setting of Grade I external elevations and key views should be avoided.
- Development within the landscape is acceptable providing understanding of significance is retained and connections are not lost.

Impact on the setting

5.8 The Central Historic Core Conservation Area – Character Area 1 appraisal relates to Bootham Park Hospital setting. The scheme takes into account the conservation area appraisal. The effects on the setting are identified as follows -

- The conservation area appraisal notes the attractive Grade II boundary railings and that they have suffered from a lack of maintenance. Restoration is proposed. This is beneficial, rectifying a deficiency identified in the conservation area appraisal. The cost of such restoration (bearing in mind the size of the site) is not insignificant.
- Strengths in the appraisal are the attractive landscape setting maintained in front of the Carr building. Opportunities / weaknesses in the area appraisal are that there is no public access and the lack of use and maintenance over time presents a poor front onto Bootham. Landscape improvements are proposed in this area, including the installation of some 180 trees over the whole site, biodiversity net gain, and measures to encourage use and broaden the functionality of the space. The long-term management and maintenance of the landscape would be secured. Development in front of the Carr building is avoided. The restoration, enhancement and introduction of public access, to accommodate multiple forms of recreation, to this area is a significant benefit derived from the scheme.
- The appraisal states that an important line of mature trees features in views from Clarence Street to the chapel. Tree removal is proposed in this area to accommodate development. Of the trees proposed for removal three have been graded as Category A and five Category B. Alternative layouts have been considered (with development moved away from the rear of the Chapel to either the north and/or south). The adverse effects on the setting, as a consequence of the alternatives was deemed higher; affecting the interrelationship between the main building and the chapel and how both buildings are appreciated within their setting. The landscape masterplan drawings do include mitigation; replacement tree planting in areas where trees are proposed for removal. The scheme includes multiple heavy standard trees and four semi-mature trees.
- On the north side of the application site new development would lead to the loss of six Category A trees. These trees were not identified as “significant trees” in the conservation area appraisal.

- The estate / cottage buildings are proposed for demolition and replacement. The conservation area appraisal does not identify these as listed buildings or buildings of merit. The buildings are to the side of the access in a secluded location, adjacent the site boundary and screened by mature trees.

Retention of the two cottages has been discounted as an option by the applicants. The cottages are narrow in plan form; only a single room in depth. It would not be efficient, effective or viable to convert into older persons accommodation with level access throughout and provide the accessibility standards under Part M of the Building Regulations. The new block provides 15 purpose-built units that are accessible and built to modern environmental standards. The proposed plans have been revised to remove extra car parking to the north of these buildings, to preserve Category A rated trees. The existing buildings are a mix of single storey stores/outbuildings and two storey buildings; the two cottages. The proposed scheme allows a far more efficient use of this land, providing residential accommodation that meets the applicant's / operator's specific needs.

- The existing car park between the John Carr building and the Chapel has been reorganised with the amount of intervening car parking spaces between the two front elevations reduced. Spaces have been re-provided to the south-west of the Chapel. There is also a new parking area proposed to the south-west of the John Carr façade. There is further car parking on the west side of the site and a service yard in the north-west corner. The new parking and servicing locations do not detrimentally affect key views of listed buildings within the landscape and are not harmful to the setting.

5.9 In applying the advice within the conservation area appraisal, the effects of the scheme on the setting overall are beneficial. The appraisal identifies the high value of the landscape between the John Carr building and Bootham, the poor condition of boundary railings (Grade II) and the lack of public access. The landscape is to be enhanced, in terms of biodiversity value and functionality, railings restored and public access will be secured if the scheme proceeds (via separate legal agreement with the Council). The harmful effect would be tree loss on the east side of the site, which is regarded as less than substantial and subject to mitigation.

Impact on Listed Buildings and structures

Demolition of Grade II

5.10 The scheme proposes demolition of the Pauper Wings/wards. These wings form part of the Grade II listing which includes the corridor leading west from the Grade I building and the amenities served by the corridor – the American bowling alley and the recreation hall. The Pauper Wings are a major element of the Grade II listed part of the complex. The proposed demolition has therefore been regarded as

substantial harm in NPPF terms (in accordance with Historic England advice). Therefore, the advice in NPPF paragraph 201 applies in determining overall whether, considering the level of public benefits, the scheme is acceptable.

5.11 The areas of the Grade II listing of highest significance - the communal areas for residents - the recreation hall (1870's) and bowling alley (added in the 1880's or 90's, converted to a dining room in the 1930's) are retained and restored for sympathetic use within the scheme.

5.12 The Pauper Wings represent a specific phase in the history of Bootham Park, following the 1845 Lunacy Act, which made pauper accommodation compulsory. They represent a later standardised example of such provision, are not rare in terms of their date or design and nationally there are a substantial number better examples of such which survive elsewhere. They were subject to modern extensions and refurbishment in the 1950's and 60's which harmed their architectural appearance and their interior. Historic England advised the demolition is "the greatest single harmful impact" (of the scheme) but in acknowledging the challenges of the site and the need to find a new use have not objected to the scheme overall and have not raised any "concerns" over demolition in principle. All previous exercises in finding a new use for the overall site identified this area as one with capacity for changes (with demolition of the Pauper Wings) however no previous schemes were progressed on viability grounds.

5.13 The original plan form of the Pauper Wings has generous wide corridors with small single aspect rooms. The ground floor of each wing has a single storey addition with small rooms, shaped awkwardly as the extension steps in front of the bay windows. The applicants have undertaken an extensive options appraisal which included retention of both or either wing. Even with complete removal of the internals (retaining the building envelope only) the retained Pauper wings were only able to provide accommodation with a compromised and inefficient layout and provided only 8 residential units overall. The provision of extra accommodation elsewhere also raised issues, such as new build competing with the main John Carr façade or main elevations immediately overlooking the railway line.

5.14 The demolition and new build proposed allows a far more efficient use of the west side of the site. The new build is subservient to, and does not challenge, the main grade I façade; the building footprint is setback from the main façade, maintains the previous separation between buildings and proposed building heights are no higher than the existing. It enables significantly more accommodation compared to retention (57 of the proposed 172 units), a larger landscaped courtyard space between the new wings and each apartment has appropriate outlook and private amenity space.

5.15 The alternatives for redevelopment of the site have been challenged by both Historic England and the Councils' Architects and Conservation Officers. It is

accepted that whilst the proposed scheme involves the demolition / loss of grade II listed buildings, it has been robustly justified as the least harmful option overall, taking into account the significance of the buildings affected, the preservation of the Grade I John Carr building and how it sits within its landscape setting and crucially, putting it to a viable use consistent with its conservation.

Grade I

5.16 The Grade I listed areas comprise of the front range dated 1772 (main John Carr building fronting the landscaped grounds), and the later additions to the north; the 1886 section linking to the 1796 section and 1817 north range (Ladies Wing).

5.17 The scheme has been amended to preserve important elements of the plan form integral to the significance of the listed building. The boardroom and its subscription boards are preserved (this area will now be communal space) and the proposed layout retains openness in the corridors extending to the gable end windows; the corridors are regarded by Historic England as a critical element of the buildings plan form. It is accepted some intervention and sub-division of the cells, accessed from the corridor, which are very small spaces, is essential to enable re-use of the building.

5.18 In the north / female wing the scheme has been revised to better respect the historic plan form. The proportions of lobby areas and corridors are preserved as are staircases of significance. There is minimal removal of partitions within the 'cells' to facilitate the new use. In accordance with general principles for the scheme overall, downstands are retained where partitions are removed to retain evidence of the historic plan form. The scheme is informed by an audit of interior and will retain historic architectural detailing in this area (and throughout the Grade I areas), including timber panelling and decorative glazed screens. Features to be preserved and restoration measures are annotated on the floor plans. This element of the scheme reasonably avoids harm to significance.

New Build

5.19 The areas of new build are located in parts of the site identified as likely to have the lowest impact on the overall composition of the site and the landscape setting. Whilst some of the amenity societies have criticised the proposed form of buildings, which contrasts with the existing, Historic England have encouraged the architectural approach proposed since pre-application stage and in commenting on the application advise that the design of the new build is "good quality" and "appearance, scale, massing and the selection of materials relates well to the site and some of the key characteristics of the retained buildings without seeking to imitate them". Consultation responses refer to the importance on the choice of brick tone; preference being for a lighter tone to contrast to the red brick on the John Carr building. This can be accommodated and the brickwork sample panels would be

approved through planning condition.

5.20 In respect of the impact on the John Carr building, the proposed building maintains the separation distances and front building line of the existing development to the west of the John Carr building. The proposed buildings are no higher (than the existing proposed to be replaced). The building line is also stepped back as it travels west towards the site boundary. In views of the John Carr façade there would be intervening trees between the buildings. The building proposed, due to its footprint and massing, and contrasting architecture, would not challenge the dominance of the Grade I John Carr façade and would not harm its setting.

5.21 Chapel – the Chapel sits in a calm green landscape, although its backdrop is affected by the rear elevation of development to the east (Arclight building). Due to the tranquillity of the setting and amount of space around the chapel there is considered very limited capacity for development here without detrimental effect. The scheme has been revised so the proposed building is calmer in its articulation and does not seek to compete with the Chapel. The layout has been informed by the desire to minimise the impact on the juxtaposition and relationship between the chapel and the main John Carr Grade I building and how this is experienced within the setting. The harm deriving from this area of new-build is identified as less than substantial harm to the setting.

5.22 A new wing is proposed on the northern side of the site which would lead to a reduction in landscape in this area. The remaining landscape within the site is of heritage significance. Since the 1670s, institutions for the treatment of mental illness have progressed from confinement and public humiliation, to places where access to landscape was, and is today, viewed as an important aspect of treatment. The landscape on the south side of the site is regarded as being of the highest value. The remaining landscape to the north is of less (moderate) value. The landscaped setting has reduced over time as the hospital expanded and is now contained further by NHS buildings to the north of the site. Accessibility is limited. The layout does retain a landscaped courtyard on this side of the site, some 55m by 20m in area; that will maintain a landscaped outlook from the north wing. The harm deriving from this area of new-build is identified as less than substantial harm to the setting.

Other Grade II

Superintendent's House

5.23 The house was built in 1862-63 following the Lunatics Act 1845 which specified that Asylums should have a named superintendent. The Victorian Society raised objection to the original scheme due to the loss of a staircase, regarded as one of the key surviving elements of the house. The scheme has since been revised to retain the staircase and better respect the historic domestic plan form.

Lodge

5.24 The lodge is positioned by the Bootham Park entrance and is dated 1857. Works to convert the lodge only affect the rear elevation externally, where existing openings are adjusted / historic openings restored. Internally the plan form is retained. Only minor adjustments are proposed to remove or alter later additions and to create a new opening. The works in principle would not cause harm and can be dealt with in detail by condition.

Overall

5.25 The impact on the significance of Heritage Assets is summarised as follows -

- Substantial harm due to demolition of part of the Grade II listed former pauper wings.
- Less than substantial harm to setting of the Grade II listed Chapel
- A low level of harm to setting (and the conservation area) due to tree loss on north and east sides of the site, offset due to proposed tree planting which includes semi-mature trees (180 new trees overall proposed with 26 category A and B trees proposed for removal).
- Low level of harm due to replacement of estate cottages with development of larger scale. Mitigated due to the secluded location.

- Substantial public benefits in bringing a complex of listed buildings, including those of exceptional significance, back into use which have been vacant since 2015. The benefits are considered in the context that all other schemes (which would potentially have been more harmful due to demolition and the challenges and integrating new uses with the historic plan form) have not progressed due to viability.
- Significant public benefit of restoring the landscape, expanding its capacity for recreational use and securing public access and ongoing maintenance.
- Restoration of Grade II boundary railings.

6.0 CONCLUSION

6.1 The Bootham Park Hospital buildings the subject of this application have been vacant since 2017. At that stage the Council did investigate re-use of the site, which was decided against due to high costs and significant risks associated with restoring and developing listed buildings. It is noted that the Council's preferred option for redevelopment included demolition of Grade II, development to the north of the site and to the east of the Chapel. The applicants were successful in bidding for the site, only at a second round of bidding, after the initial sale failed in 2019.

6.2 The scheme for reuse of the site does lead to harm to certain heritage assets.

NPPF advice is that, where substantial harm has been identified, consent should be refused unless such harm is necessary to achieve substantial public benefits that outweigh the harm. The identified harm and public benefits of the scheme are set out below. Officer's recommendation is that in this case the harm is necessary to deliver the substantial benefits that justify the granting of consent.

Identified harm -

- Substantial harm due to demolition of part of the Grade II listed former pauper wings.
- Less than substantial harm to setting of the Grade II listed Chapel
- A low level of harm to the conservation area due to tree loss, offset due to proposed tree planting which includes semi-mature trees.
- Low level of harm due to replacement of estate cottages with development of larger scale. Impact on setting mitigated due to the secluded location.

Public Benefits -

- Substantial benefits in bringing a complex of listed buildings back into use which have been vacant since 2015. This includes the sensitive restoration and re-use of Grade I buildings which are of exceptional importance.
- Significant benefit of restoring the landscape, expanding its capacity for recreational use and securing public access and ongoing maintenance.
- Restoration of Grade II boundary railings beneficial.
- Provision of specialist accommodation to meet an unmet identified need, with associated health and well-being facilities, recreational facilities and provision of care.
- Housing delivery on a mostly previously developed site in a sustainable location.
- Securing public access and replacement pedestrian and cycle routes through the site.

6.3 The Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard shall be had to the desirability of preserving listed buildings or their settings or any features of special architectural or historic interest which they possess, and special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas. When applying the requirements of the act and NPPF paragraphs 201 and 202, the harm is necessary to achieve the benefits of the scheme, which outweigh the harm and justify granting consent.

6.4 Referral to the Secretary of State is required prior to determination because the Amenity Societies have objected to the application (as required by the Arrangements for Handling Heritage Applications Direction 2021).

7.0 RECOMMENDATION: Approve after referral to Sec. of State

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

2 Approved Plans

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

Site and Block Plans

1777-BOW-A0-ZZ-DR-A-1008_P8 Proposed Site Plan

1777-BOW-A0-ZZ-DR-A-1009_P8 Proposed Block Plan

Hard and Soft Landscaping

1777-LANP-ZZ-ZZ-DR-LA-1200 Hard Landscape Masterplan 1of6

1777-LANP-ZZ-ZZ-DR-LA-1201 Hard Landscape Masterplan 2of6 REV A

1777-LANP-ZZ-ZZ-DR-LA-1202 Hard Landscape Masterplan 3of6 REV A

1777-LANP-ZZ-ZZ-DR-LA-1203 Hard Landscape Masterplan 4of6 REV A

1777-LANP-ZZ-ZZ-DR-LA-1204 Hard Landscape Masterplan 5of6 REV B

1777-LANP-ZZ-ZZ-DR-LA-1205 Hard Landscape Masterplan 6of6 REV A

1777-LANP-ZZ-ZZ-DR-LA-1300 Soft Landscape Masterplan 1of6

1777-LANP-ZZ-ZZ-DR-LA-1301 Soft Landscape Masterplan 2of6 REV A

1777-LANP-ZZ-ZZ-DR-LA-1302 Soft Landscape Masterplan 3of6 REV A

1777-LANP-ZZ-ZZ-DR-LA-1303 Soft Landscape Masterplan 4of6 REV A

1777-LANP-ZZ-ZZ-DR-LA-1304 Soft Landscape Masterplan 5of6 REV B

1777-LANP-ZZ-ZZ-DR-LA-1305 Soft Landscape Masterplan 6of6 REV A

Bistro

1777-BOW-A1-00-DR-A-2060_P12_Proposed Bistro Extension

8402-BOW-ZZ-XX-RP-A-0014_P1_Bistro_Cladding_Study

Chapel area

1777-BOW-A3-00-DR-A-2000_P18_Chapel Site - Ground Floor Plan

1777-BOW-A3-01-DR-A-2001_P14_Chapel Site - First Floor Plan

1777-BOW-A3-02-DR-A-2002_P15_Chapel Site - Second Floor Plan

1777-BOW-A3-03-DR-A-2003_P5_Chapel Site - Roof Plan

1777-BOW-A3-ZZ-DR-A-3001_P11_Chapel Site - Proposed Elevations Sheet 1

1777-BOW-A3-ZZ-DR-A-3002_P12_Chapel Site - Proposed Elevations Sheet 2

1777-BOW-A3-ZZ-DR-A-3003_P11_Chapel Site - Proposed Elevations Sheet 3

John Carr Building, Ladies Wing and Superintendents

1777-BOW-A1-00-DR-A-2003_P8_Ground Floor Demolition and Alterations
1777-BOW-A1-01-DR-A-2004_P5_First Floor Demolition and Alterations
1777-BOW-A1-02-DR-A-2005_P4_Second Floor Demolition and Alterations

1777-BOW-A1-00-DR-A-2006_P9_Ground Floor Proposed - Host Building
1777-BOW-A1-01-DR-A-2007_P7_First Floor Proposed - Host Building
1777-BOW-A1-02-DR-A-2008_P5_Second Floor Proposed - Host Building

1777-BOW-A1-00-DR-A-2010_P8_Proposed Ground Floor Plan - John Carr Building
1777-BOW-A1-01-DR-A-2014_P7_Proposed First Floor Plan - John Carr Building
1777-BOW-A1-02-DR-A-2017_P7_Proposed Second Floor Plan - John Carr Building

1777-BOW-A1-00-DR-A-2012_P5_Proposed Ground Floor Plan - Ladies Wing
1777-BOW-A1-01-DR-A-2015_P4 Proposed First Floor Plan - Ladies Wing

1777-BOW-A2-00-DR-A-2000_P19_Host New Build - Ground Floor Plan
1777-BOW-A2-01-DR-A-2001_P17_Host New Build - First Floor Plan
1777-BOW-A2-02-DR-A-2002_P15_Host New Build - Second Floor Plan

3001 Host New Build-Proposed Elevations Sheet 1 Rev P8
3002 Host New Build - Proposed Elevations Sheet 2 Rev P7
3003 Host New Build - Proposed Elevations Sheet 3 Rev P7
3004 Host New Build - Proposed Elevations Sheet 4 Rev P7
5001 Typical Bay Study 1 Rev P3
5002 Typical Bay Study 2 Rev P2
5003 Typical Bay Study 3 Rev P2
5004 Typical Bay Study 4 Rev P2

5001 Proposed Door Details
5003 Lift Details - John Carr Rev 1

Estate Cottages

2000 Estate Cottages New Build - Proposed Plans Rev P10
3001 Estate Cottages New Build - Proposed Elevations Rev P8
5001 Estate Cottages Typical Bay Study 1 Rev P2
5002 Estate Cottages Typical Bay Study 2 Rev P2

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

3 Photographic recording

Prior to the commencement of development, a level 2 photographic record shall be undertaken. This shall record the existing building interiors on a systematic basis in accordance with a level 2 photographic record as specified by English Heritage ("Understanding historic buildings: a guide to good recording practice" February 2006). The record shall then be deposited with the Local Authority's Historic Environment Record (HER).

Reason: To record and preserve a record of the historic features of the listed buildings.

4 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 the development and the works shall be carried out in accordance with the approved details. Large scale details shall be drawn to 1:10 or 1:5 scale and supplemented with manufacturer's literature where appropriate.

Listed buildings including the demolition of the Pauper Wings.

External Alterations:

- External gates, balustrades, railings and ramps.
- Alterations to existing windows and doors (renewal in double glazing will not be supported).
- New external doors and openings. (Doors proposed in previous window openings shall be designed to fit the existing openings).
- New rainwater goods.
- Changes to front entrance doors, including entry-phone systems and ironmongery.
- Any equipment located external to the buildings and details of external extracts and ventilation grills (locations and types).

Internal Alterations

- Alterations affecting entrance areas, staircases and stairwells, including new lobbies (e.g. John Carr transverse corridor partition), new lift; alterations including to leaded lights to lightwell in John Carr building. Details of these elements shall also be shown in context and include floor plans and reflected ceiling plans.
- Details of new floors and any new suspended ceilings.
- New partitions shall be scribed around existing details. Where cornices are implied on new partitions, rather than copied, details of the implied cornice shall be provided.
- New secondary glazing.

- Bistro extension and over cladding panels

New Build

- 1:10 sections through the external walls at window positions showing the relationship between the parapet, wall and window openings, soffit and overhangs
- Details of windows, external doors and door openings. To include proposals for guarding of full height windows.
- PV Panel arrays (typical detail)
- External balustrade

Reason: So that the Local Planning Authority may be satisfied with these details in order to protect and preserve the historic significance and appearance of the listed buildings.

5 Schedule of works

Notwithstanding the submitted documents method statements shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the following work. Works shall be carried out in accordance with the approved details.

The method statements shall include the following:

- Service installations including ventilation system
- Details of preservation, or alteration of existing fireplaces
- Strategy for amendments to doors as required by changes to the circulation and to satisfy fire measures
- Restoration of existing walls to repair scars where Pauper Wings and previous extensions proposed for removal.
- Alterations to chimneys (disused chimneys must be vented)
- Schedule of repairs (including any proposals for cleaning together with justification).
- Details of repairs to terrazzo floors
- Sample of tiles to be used for repairing tiled floors and proposed grout
- Details of fireproofing of floors
- Details of fireproofing of ceilings without cornices
- Specification of Lime plaster for infill repairs
- Details of all new Ironmongery

Reason: To preserve the special historic interest of the listed buildings.

6 Decoration

Prior to first occupation a schedule of external decoration shall be submitted to and agreed in writing by the Local Planning Authority. All external decoration shall then be carried out in accordance with the schedule.

The schedule of external decoration shall be preceded by a paint scrape of the rendered exterior to assess the historic paint schemes. This will provide the opportunity for the original scheme to inform new decorations on the frontage. An area for taking scrapes shall be identified and agreed in writing with the Local Planning Authority. The paint scrapes shall then form part of the schedule of external decoration.

Reason: To protect and preserve the appearance and character of the listed buildings.

7 Boardroom

Within the boardroom of the John Carr building the subscription boards shall be retained in their current state for the lifetime of the development.

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

Contact details:

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