

## COMMITTEE REPORT

**Date:** 21 January 2016      **Ward:** Guildhall  
**Team:** Major and      **Parish:** Guildhall Planning Panel  
Commercial Team

**Reference:** 15/02441/LBC  
**Application at:** 29 - 33 Lawrence Street York YO10 3BP  
**For:** Alterations and partial demolition in connection with proposed use  
as student accommodation  
**By:** Mr Chris Hale  
**Application Type:** Listed Building Consent  
**Target Date:** 21 December 2015  
**Recommendation:** Approve

### 1.0 PROPOSAL

#### APPLICATION SITE

1.1 The application relates to the grade II listed former WMC at 29 and 31 Lawrence Street and its curtilage which extends back to Brinkworth Terrace. The application site also includes the Tam O'Shanter Public House at 37 and the land behind the pub and the takeaway at 35.

1.2 The former WMC is a late C18 century house with early and C19 wings. It has aesthetic and historical value and is listed at Grade II. It has historical value for its association with Samuel Tuke, the noted local Quaker and mental health reformer, who bought the property in 1822. Tuke lived there until his death in 1853 by which time two lower side wings had been added, one in early C19th (east) and one mid C19th (west), and two large bay windows had also been added to take advantage of views into the large rear garden.

1.3 Between around 1870 and the end of the C19 the house was used as a Private Lunatic Asylum. The building became the WMC around 1900. There was significant alteration in the C20 including the concert room added at the rear, removal of the main staircase and alterations to the plan form at first floor level to create the billiard room.

1.4 The building is in a very poor state of repair and it presents a derelict appearance to Lawrence Street. It has been vacant (except for the west wing) for over 10 years. A section 215 notice was served in 2012 to address the poor condition of the site. Until recently attempts to secure a viable use for the building have failed and only temporary measures have been implemented to stall the decay.

## PROPOSALS

1.5 The application is to use the building as student accommodation. The proposals include demolition of the concert room at the rear, added in the early C20. The building would be restored to its domestic form, leaving the C18 and the side wings which were added in the C19. There is a companion full planning application which proposes development of the wider site for 114 student rooms overall, including a 3-storey L-shaped wing within the curtilage of the listed building and connecting into the rear of the Tam O'Shanter public house.

## 2.0 POLICY CONTEXT

2.1 National Planning Policy Framework key relevant policies  
Section 12 Conserving and enhancing the historic environment

2.2 Draft 2005 Local Plan Policies:  
HE4 Listed Buildings

## 3.0 CONSULTATIONS

### PLANNING AND ENVIRONMENTAL MANAGEMENT (Conservation)

3.1 States the building is in a poor condition, being highly dilapidated and identified as being 'at risk'. It has been vacant (except for the west wing) for over 10 years. A section 215 notice was served in 2012 to address the poor condition of the site. Until recently attempts to secure a viable use for the building have failed and only temporary measures have been implemented to stall the decay. Officers therefore welcome the current application which will not only restore the listed building to good health but convert it in a manner consistent with its conservation giving it a long term future.

3.2 Officers support the application. The building fabric would be returned to a healthy state and damaging, unsympathetic alterations would be removed. The proposed use would give the building a long-term future compatible with its conservation. It would be domestic in scale allowing the recreation of a cellular plan similar to the original layouts. The appearance and setting of the building would be greatly enhanced in the townscape, and the status of the building would be re-established as a building of architectural and historic interest in the national context.

3.3 Officers have made detailed comments on the scheme. The main areas where intervention is required being to bring the building up to standards with regards building regulations and performance for fire and sound transmission.

## Main House interior

3.4 The main staircase has been lost and this scheme would allow a new wooden staircase to be inserted in the original position. Due to new circulation and fire requirements this would extend to the top floor and there would be a fire partition at the head of the staircase. This represents a change in the status of the new occupants on the top floor. The alteration is mitigated by the retention of the secondary staircase in the east wing, and by evidence of the previous stairwell

3.5 The requirement for fire lobbies would result in room entrances being located in new positions; however many of the original door openings have already been lost through C20th alterations.

3.6 The first floor has been opened up to the full extent of the original house to create a large billiard hall. This is accessed through an early C20th glazed doorway centrally placed under an arch. Details are required to understand what will happen to the arched opening, which should be retained in the new scheme.

3.7 We understand it may be proposed that door head heights would increase in some areas (on the top floor) to meet current standards, although this is not annotated on the submitted plans. This is unjustified and should not be carried out.

## East Wing

3.8 Proposals would make this extension independent of the main house so evidence of its previous interconnection should be left in the masonry blocking detail.

## West Wing

3.9 This wing is of slightly later date (mid C19th) and appears to have been designed for independent access. Its conversion to an independent apartment will enable the inserted partition walls to be removed and it will be returned to its original plan form.

## Setting at the rear of the building

3.10 The rear setting has been harmed by the loss of the original garden and the introduction of enabling development is proposed on the constrained site. The restored openness is a huge improvement on the existing harmful situation and the new development screens out the late C20th industrial environment to the north.

## Structure and services

3.11 Proposals are to reduce energy uptake and therefore CO2 emissions by upgrading the fabric with increased insulation in floors, roof spaces and through secondary glazing and draught stopping of windows. The repair techniques proposed might cause disturbance to ceilings, especially cornices, as suspended ceilings may be necessary in parts of the building. Suspended ceilings should be avoided unless it is demonstrated that there is no other way to repair and service the building. A condition should be added to cover this eventuality.

3.12 Floors within the central body of the house would be replaced in concrete. The basement has been filled in, existing floor joists sit within the damp fill and there is no under-floor ventilation. These conditions are beneficial to dry rot fungus which exists already in a small area of the building. Officers support replacement of these floors in solid construction.

3.13 Bathrooms would be stacked vertically so they act as ducts in themselves. Ventilation will be taken through the roof on internal slopes facing into valleys to avoid the slates being penetrated on external facades.

## HISTORIC ENGLAND

3.14 The scheme is supported in principle. It accords with planning policy in that the proposed repair of the listed building will restore the aesthetic value of this important but derelict landmark building (which is identified as being at risk) within the conservation area, so that it may once again make a strongly positive aesthetic contribution and enhance the setting of the conservation area and the scheduled monument of St Lawrence's Church and associated burial ground.

3.15 Officers suggested an amendment to the proposed entrance portico. The proposed columns appear spindly and the frieze below the cornice may be too narrow. It was suggested that the portico is re-designed so that the proportions, detailing and materials reflect as accurately as possible its likely original form using existing fabric evidence, surviving photographic evidence and if necessary by a study of other similar examples from this period. The original pilasters and the arched entrance doorway should be retained if possible, along with the door itself, which appears to be original. The front boundary railings should be subject to approval by the Local Planning Authority.

3.16 HE welcomes the reinstatement of many of the internal walls inside this historic building in their approximate or known positions. They would wish any early features (i.e. C19 and earlier features) to be retained within the building wherever practical, preferably in their current positions.

3.17 HE does not object in principle to the proposed new-build to the rear. The visualisations submitted show that it would be sufficiently subservient to the listed building to ensure the continued pre-eminence of Nos. 29 and 31 on the site. Providing this building is well detailed and the materials are well chosen it should provide a tidier and more attractive context to the property than the present one.

## YORK CIVIC TRUST

3.18 Supports the scheme in principle.

3.19 Note that student accommodation in the house will be designed around the original room layout, and will retain as many original features as can be salvaged.

3.20 Refer to the design of the portico entrance to the original front door and the rebuilding of the back elevation where modern additions are to be removed. It is important that research is carried out on these areas and the replacement elements (portico, doors, windows) are reinstatements of the mid C19 design.

3.21 With regards concerns of the amount of students in the area and their transient nature, the trust acknowledge that this is offset to a degree by reduced demand for HMO properties.

## PUBLIC CONSULTATION

3.22 Deadline for comment was 11 December 2015. The three public comments made are reported in the companion planning application report.

## 4.0 APPRAISAL

### RELEVANT PLANNING POLICY

4.1 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority when determining planning applications for development that affects a listed building or its setting 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.

4.2 The statutory duty under Sections 66 means that even where harm is less than substantial, such harm must still be afforded considerable importance and weight, i.e. more weight than if it were simply a factor to be taken account along with all other material considerations.

## PROPOSALS

4.3 The building is proposed to be restored to its domestic appearance and largely the plan form, as the building was in the C19. A main stair would be re-instated in the original location and the rear elevation would be restored. The side wings would be converted into independent units. Proposals include restoration of a front porch and the boundary railings. The slate roof would be repaired using slate.

4.4 The exterior of the building would be restored and significantly enhanced. The site has a run down appearance and the building has been identified as being at risk. The building would be brought back into viable use; a significant public benefit. Internally the building is in poor condition and a large amount of intervention is required within the interior to meet C21 requirements. The amount of intervention can be justified due to the overall public benefits of the scheme.

## ASSESSMENT

### DEMOLITION

4.5 The C20th function room and contemporary (and later) outbuildings to the rear would be demolished. This would allow the rear elevation to be reinstated, albeit to a different symmetrical design, closer to the presumed original pattern rather than the later one which included bay windows. Preference is for the new rear wall construction to match the historic.

4.6 The function room is an ugly building in an extremely poor condition. It has minor communal significance relating to the former use of the building as a working men's club but this is outweighed by its harmful effect on the significance of the primary building and its lack of visibility from the street. Its loss would enable the rear setting of the building to be enhanced. Other minor outbuildings on the site are not of special architectural or historic interest, even as ancillary structures.

### INTERNAL WORKS

4.7 There is a need for new ground floor construction. Concrete flooring was added within the rear extension and within the original area is timber flooring, with infill material below. It is not possible to achieve adequate cross ventilation of the timber floor to the original building. Proposals are for a concrete foundation throughout. The change improves the buildings performance and condition and is acceptable.

4.8 Insulation for fire and sound is required between floors. There are cornices within the majority of rooms at first floor level, although they are not fully intact in most of the rear rooms. Preference would be for cornices to remain on show, if not they should be covered and not removed. A condition is proposed to fully detail the required works to ensure that there is as little intervention as necessary.

4.9 The form of the building proposed overall would be more sympathetic than the current condition.

4.10 The west wing would be separated from the main house. Evidence of the original connection can be retained in the design for the infill of the existing opening, which can be secured by condition.

4.11 At first floor level details are required to understand the arrangements for the glazed doorway into the billiard hall.

4.12 The alterations reasonably respect the plan form a second floor level. The original status of this floor is affected by running the main staircase to this level. The significance of the building is preserved through adequate evidence of the original arrangement. Where existing openings are to be blocked, evidence would remain. The preference is for doorframes to remain as existing. These are an important aspect of the historic and architectural importance of the listed building. The plans show changes in this respect

4.13 The top floor has suffered removal of sections of plaster, fireplaces, and windows in the past but the spaces retain their character as a service accommodation. Internal walls are built as partitions with cavities and these would need to be upgraded for fire and sound resistance. Current proposals would replace the existing finishes and introduce infill in order to retain existing character and reuse existing details. A method statement is required to cover this aspect of work. Replacement of whole walls should only be carried out where the alternatives would be more harmful to the historic character.

## EXTERIOR AND SETTING

4.14 The buildings exterior and its setting would be vastly improved by the sensitive restoration proposed. Where windows are beyond repair they would be remade on the existing historic pattern, except where poor quality C20th details have been used as on the top floor. These windows should be replaced with multi-pane vertically sliding sashes, which can be secured via a planning condition. Conditions are proposed to agree the detail of the portico which it is proposed to re-instate. Railings and gates will also be restored to the front curtilage and these shall copy the historic detail, evidence of which remains on site.

## 5.0 CONCLUSION

5.1 Conditions are proposed to fully agree the internal restoration works. The proposals would affect fabric of historic importance on the upper floors if cornices are to be covered over to accommodate insulation between floors and due to the new for new walls and ceiling on the top floor. The exact amount of works in this

respect is proposed to be covered by condition. There is significant public benefit in bringing a building which is at risk back into viable use, consistent with its conservation. The buildings external appearance and setting will be vastly enhanced. Giving due consideration to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 the scheme has officer support, because there would be no undue effect on features of special architectural or historic interest and significant public benefit as a consequence of the application.

**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:-

SLW-3049 PP-02.03 Proposed Plans - Block Plan  
SLW-3049 PP-03.04 Proposed Plans - Site Plan

SLW-3049 PP-05.05 Proposed Plans - Level 0  
SLW-3049 PP-06.04 Proposed Plans - Level 1  
SLW-3049 PP-07.04 Proposed Plans - Level 2  
SLW-3049 PP-08.04 Proposed Plans - Level 3

SLW-3049 P1-02.05 Demolition Plans - Level 0  
SLW-3049 P1-03.03 Demolition Plans - Level 1  
SLW-3049 P1-04.03 Demolition Plans - Level 2  
SLW-3049 PE-02.03 Proposed Elevations - Main House and Tam O'Shanter

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

3 Large scale details

Large scale details (1:20 and/or 1:5 as appropriate) 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) the renewed portico restored to its original design using evidence in the building, from photos and if necessary supplemented by research of similar examples
- b) gates and railings and works to the retained wall behind no.35
- c) the infilled north elevation (in solid wall construction with openings formed to match existing historic openings in the building)
- d) arch infill on the first floor
- e) blockings between the central section and the two side wings



- f) new central staircase (shown in context with evidence of the previous position of the lower compartment retained)
- g) typical installation of new bathroom pods (which should reinforce their character as insertions e.g. by having recessed base and head details (aligning with skirting boards and remaining cornices))

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

4 Prior to commencement of works the photographic record of internal spaces (SLW-3049 E1--01-45.03 dated 7th December 2015) shall be supplemented in the same manner with a record of the main exterior elevations and boundary conditions. Copies of the record shall be provided for inclusion with the heritage reports on the HER.

#### 5 Door schedule

A drawn schedule describing upgrades to historic doors and architraves, and the character and composition of new doors and their surrounds shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the pertinent works. The works shall be carried out in accordance with the approved details. Door details should be based on historic examples within the building appropriate to each phase of development. Door head heights must not be altered, unless otherwise agreed by the Local Planning Authority.

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

#### 6 Windows

A drawn window schedule showing works to existing windows, details of new windows and secondary glazing shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the pertinent works.

Prior to commencement of window repairs and renewal examples of suitable historic types should be identified for copying.

Window blocking - The type of window blocking shall highlight windows of greater significance where a recess check would be introduced against a straight-through joint. The position of less significant, ancillary windows of recent date should be masked in the brickwork.

Secondary glazing - Where there are shutter boxes and panelled reveals an abutment detail should be provided to demonstrate the relationship of new and existing glazing.

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

## 7 2<sup>nd</sup> floor alterations

An illustrated method statement describing the extent of alterations to walls and the ceiling on the second floor shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the pertinent works. The works shall be carried out in accordance with the approved details.

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

## 8 Suspended ceilings

Prior to commencement of the pertinent works a detailed justification shall be provided for the inclusion of any suspended ceilings. This shall include a detailed appraisal of all other options for achieving fire and sound resistance, structural repairs and ventilation. Suspended ceilings should be avoided if at all possible.

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

## 9 Fireplaces

A drawn schedule describing works to fireplaces shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the pertinent works.

Existing fireplace surrounds should be left within the rooms. Any inserts should also be left behind the blocking and, notwithstanding the method specified (brickwork blocking), the blocking should be designed to suit these specific cases. Where the profile of previous fire-place surrounds is still imprinted on the fabric then a means of retaining this evidence in-situ should be agreed and implemented where possible.

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

## 10 Services

Prior to commencement of the pertinent works method statements for the installation of services shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details. Details of external vents and rainwater goods (location and manufacturer's details) shall be included.

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

## 11 Method of Works

The works hereby approved shall be carried out in accordance with the following measures -

New partition walls and new fixtures shall be scribed around existing details.

Repairs shall be carried out on a 'like for like' basis. Where there is a departure from this approach, alternative details shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing. The works shall be carried out in accordance with the approved details.

Details of the cleaning technique proposed to the exterior of the building shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing. The works shall be carried out in accordance with the approved details.

Detailed proposals for the repair and relocation and fire protection if necessary of the coloured glass should be provided. Notwithstanding the notes, glass should be retained in its current location where possible.

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

### **7.0 INFORMATIVES:**

#### **Contact details:**

**Author:** Jonathan Kenyon Development Management Officer

**Tel No:** 01904 551323