

## COMMITTEE REPORT

**Date:** 20 October 2011      **Ward:** Guildhall  
**Team:** Major and      **Parish:** Guildhall Planning Panel  
Commercial Team

**Reference:** 11/01998/FULM  
**Application at:** Bootham School 51 Bootham York YO30 7BT  
**For:** Alterations to existing music building and erection of new single and two storey music and arts building. Minor alterations to assembly hall.  
**By:** Bootham School  
**Application Type:** Major Full Application (13 weeks)  
**Target Date:** 7 November 2011  
**Recommendation:** Approve

### 1.0 PROPOSAL

1.1 Planning permission is sought for a two storey building, which would be located to the south-east side of the grade 2 listed Assembly Hall within the Bootham School site. The new building would provide a performance room, classrooms and a café/foyer/entrance area that would connect into the Assembly Hall. The existing music building, to which the proposed building would also connect, would be converted to provide an exhibition space for art. The proposals will enable the music and art facilities at the school to be linked and the connection will provide the communal gathering space the Assembly Room presently lacks.

1.2 The building would be of comparable massing to the Assembly Hall although the sloping roof would be 1.5m higher at its highest point. The connection to the Assembly Hall would be single storey, glass fronted to form a continuation of the existing ground floor façade. The new building would step forward around 6.5m from the Assembly Hall, although the ground floor would be recessed back by around 2m.

1.3 When viewed alongside the Assembly Hall the proposed building would be predominantly glazed at ground floor level, with timber cladding above and a copper eaves detail. Along the SE elevation the building would have a brick base. The roof would be part flat, in this area it would accommodate photovoltaic panels, with a sloping sedum roof behind. The roof includes four chimneys which allow natural ventilation. The existing music building would receive a single storey extension to its west side and a more recent 2-storey extension to the east elevation would be removed.

1.4 There is a companion application for listed building consent: 11/01999/LBC.

## 2.0 POLICY CONTEXT

### 2.1 Development Plan Allocation:

Areas of Archaeological Interest GMS Constraints: City Centre Area 0006

Conservation Area GMS Constraints: Central Historic Core CONF

Listed Buildings GMS Constraints:

Grade 2\*; 49 Bootham York YO3 7BT 0463

Grade 2 : Bootham School Assembly Hall Bootham

Grade 2\*; Bootham School, Library And Railings 51 Bootham 0462

Grade 2\*; 47 Bootham York YO3 7BT 0464

### 2.2 Policies:

CYED1 Primary and Secondary Education

CYGP1 Design

CYGP4A Sustainability

CYHE3 Conservation Areas

CYHE4 Listed Buildings

CYHE10 Archaeology

CYGP15 Protection from flooding

## 3.0 CONSULTATIONS

### Design and Conservation

3.1 Officers support the scheme. Considering PPS5 guidance the proposals would have less than significant harm, caused due to the loss of the landscaped setting of the Assembly Hall. The impact is though mitigated; the proposed building has merits in its own right, which in time will add to the considerable architectural legacy on site and the scheme delivers considerable benefits through improving facilities at the Assembly Hall and at Bootham School overall.

3.2 The Assembly Hall was designed as a stand-alone building and the green landscape surroundings assist in softening the harshness of the concrete. It is fundamental that the pavilion quality of the existing building can still be appreciated. The Hall foyer has a fully glazed screen wall, whilst the wall mainly looks out to the south and west, a single panel wraps around the SE corner. This preserves the open quality of the Hall and the weightless appearance of the concrete upper tier. Unfortunately the corner would be altered to allow for the link through to the new building. In addition the staircase which gives relief to the SE elevation of concrete would be retained though subsumed by the extension.

3.3 Harm to the fabric and character of the building caused by linking it to the new structure would be mitigated by the following:

- The new facility would link to the south east corner of the building; the setting of the main entrance facades of the Assembly Hall (NW & SW) would be unaffected. The position for the link has been chose to minimize harm to the structure and maximize useability of the grouped facilities. The link would be at low level and allow the two buildings to read as separate masses.
- The new foyer is glazed and has been set back from the upper floor so that views across the site (toward the Assembly Hall) are revealed at an earlier stage when entering via the pedestrian entrance from Bootham (along Photographic Lane).
- The west facade of the new building has been designed to emphasize the building's independance and its extruded form. In important views from the main school reception, within the site to west, the materials palette would compliment the existing building; copper, glass, and the cedar board cladding to the main spaces, which will echo the texture of the concrete on the Assembly Hall, eventually go silvery grey and tone in with the adjacent building. The bricks chosen for the ground floor and separating stair towers would not be seen externally close to the existing building.

#### Countryside Officer

3.4 The bat survey carried out in June 2011 found no evidence of bats roosting within any of the buildings surveyed and very little bat activity was recorded overall.

3.5 There is suitable foraging habitat on site and nearby however, and it is likely that a roost is present within close proximity. As such care should be taken during building work in case any bats may take up residence in the future and to ensure that any potential impacts are minimised. Officers ask that an informative or advisory note concerning bats and their protection is included in any consent given. There are also opportunities for encouraging bats and enhancing the site to benefit other wildlife species through for example new planting within the school grounds or by providing special habitat features or roosting opportunities.

#### Landscape officer

3.6 With regards the overall landscaping scheme officers note that the loss of garden area would be unfortunate, although this has to be weighed up against the benefits of the resulting facility. There is no objection to the scheme and the proposed landscaping is deemed to be acceptable:

- The proposed building and the rearranged external area would result in the loss of approximately eight trees. A couple of these are in poor health. The greatest loss

would be the large Whitebeam and Silver birch for aesthetic reasons, and the mulberry for arboricultural reasons.

- The landscape proposal includes a good selection of compensatory tree planting including several large species where space allows, including replacement Birch and Whitebeam. The new planting would create an attractive approach to the school but the loss of open/garden space would be marked.

- The existing paving arrangement in front of the Assembly Hall should be retained wherever practicable since its design is contemporary with, and directly related to, the building. There are two 'book end' concrete forms at either side of the entrance to the existing paved space; these should be retained. It would also be possible to bring more planting in to the meeting space.

### Archaeology

3.7 An evaluation carried out in May 2011 revealed natural deposits at a depth of 1.65m below the modern ground level. Any Roman archaeology that survives on the site is likely to take the form of cut features into the natural, truncated by medieval ploughing.

3.8 In order to mitigate the impact of the development and to record the loss of significance that will arise if the development is approved, it is suggested that an appropriate archaeological strategy will be to undertake a monitored mechanical strip of deposits to the surface of the natural deposits. The natural level would then be cleaned by hand to allow the recognition of archaeological features, which could then be excavated and recorded prior to mechanical excavation of the remaining depth required for construction.

3.9 Officers recommend a watching brief and an archaeological programme of works to analyse and record archaeology found, which can be secured as conditions.

### Environmental Protection Unit

3.10 No objection. Ask for an informative to draw attention to the requirements of the Control of Pollution Act which relates to minimising disturbance during construction. Officers are satisfied that noise from the proposed building would not have an adverse impact on neighbours.

### Highway Network Management

3.11 No objections.

### Drainage Engineers

3.12 Development is in flood zone 1 and therefore should not suffer from flooding. Details of existing and proposed ground levels and surface water drainage have been requested. It is necessary the existing surface water run-off rates are reduced, 70% of the existing rate is desirable.

### English Heritage

3.13 No objection to the development in principle. The key issues EH draw attention to are the junction between the existing and proposed building, and any proposals to clean the existing building (note that cleaning is covered in the associated LBC application).

3.14 The Assembly Hall is a building which has a very sculptural presence and was designed to be seen 'in the round'. The south-east side (where the new building is proposed) comprises an uncompromising sheer wall of board-marked reinforced concrete, with a reinforced concrete staircase leading down from first floor level. The new building will abut this escape stair and the south-east wall will be partly covered and partly enclosed within a new courtyard (from which part of the wall of the Assembly Hall would still be visible).

3.15 Detailing of the addition to the Assembly Hall foyer will be important in the protection of the architectural quality and hence the significance of the Assembly Hall. EH have discussed the matter with the school and recommended an approach which would allow the glazing column at the south-east corner to remain fully expressed and turn the corner. The new roof should be attached to the Assembly Hall beneath the chamfered concrete overhang and beneath the top of the existing concrete staircase.

### Guildhall Planning Panel

3.16 No objection.

### Publicity

3.17 An objection has been made on the following grounds:

- The development will fail to preserve the conservation area. There would be a loss of trees and it is considered that mature trees, especially those which may have been onsite when the school was attended by Joseph Rowntree should be protected.
- Concern that noise from the facility may have an adverse impact on neighbour's amenity.
- The location of construction vehicles and construction in general will have an adverse impact on neighbours, as it is proposed to store vehicles/materials on

the land to the east side of the school, by residential properties at Bootham Place and Bootham Square.

## 4.0 APPRAISAL

### KEY ISSUES

4.1 Key issues are -

- Whether the development is acceptable in principle.
- Impact on heritage assets - listed buildings at the school, the Central Historic Core Conservation Area and archaeology
- Loss of trees
- Amenity of surrounding occupants
- Sustainability of the proposed buildings
- Drainage
- Highway network management

### PRINCIPLE OF THE PROPOSED DEVELOPMENT

4.2 Local Plan policy ED1 advises that planning applications for new/extended education facilities will be granted permission provided that:

- a) it would meet a recognised need;
- b) the proposed development is of a scale and design appropriate to the character and appearance of the locality;
- c) an area of open space and playing fields, sufficient to meet the needs of pupils is incorporated in the development;
- d) where a development is capable of a joint or dual use for community benefit, this has been incorporated into the design

4.3 The school has a 6 year masterplan which includes a requirement to improve the music and arts facilities which are presently cramped and unsuitable for some of the students. The proposed development will enhance the facilities at the school and provide a linked area for music, art and performance space, which includes meeting/social space which is presently lacking in the assembly hall. As such the proposals do meet a recognised need. Of the other aspects of policy ED1 b) - this is discussed in the following section, c) the existing playing fields are maintained, and d) there design of the building does allow wider use of the building.

### IMPACT ON HERITAGE ASSETS

4.4 In considering whether to grant planning permission for development that affects a listed building or its setting, according to the Planning (Listed Buildings and Conservation Areas) Act 1990, the LPA is required to have special regard to the

desirability of preserving a listed building, its setting and any features of special architectural or historic interest which it possesses. The act advises also that the LPA shall pay special attention to the desirability of preserving or enhancing the character and appearance of the conservation area. This is re-iterated in Local Plan policies HE2 and HE3

4.5 National policy PPS5 relates to listed buildings. PPS5 advises that a building's contribution to its setting can be sustained or enhanced if new buildings are carefully designed to respect their setting by virtue of their scale, proportion, height, massing, alignment and use of materials. The PPS recognizes that in some cases change to listed buildings may be necessary over time. Where development would have a harmful impact LPA's are required to weigh the harm against any heritage benefits. The English Heritage companion note to the PPS lists heritage benefits as where a scheme:

- Sustains or enhances the significance of a heritage asset and the contribution of its setting.
- Reduces or removes risks to a heritage asset.
- Secures the optimum viable use of a heritage asset in support of its long term conservation.
- Makes a positive contribution to economic vitality and sustainable communities.
- Is an appropriate design for its context and makes a positive contribution to the appearance, character, quality and local distinctiveness of the historic environment.

4.6 The site is within the city centre area of archaeological importance. Policy HE10 of the DLP seeks to preserve important archaeological remains and requires that applications demonstrate no more than 5% of archaeological deposits are disturbed or destroyed during works.

## IMPACT ON LISTED BUILDINGS AND THEIR SETTING

4.7 The proposed development would have less than substantial harm on the Assembly Hall and its setting. The heritage benefits that would result are deemed to outweigh the harm. In addition the design issues raised by EH have been addressed. The assessment is contained in the companion LBC report. In summary the scheme is deemed to have an acceptable impact on the listed building and its setting.

## IMPACT ON THE CONSERVATION AREA

4.8 The character and appearance of this part of the conservation area is defined by the buildings which front onto Bootham and the adjoining terraced streets; St Mary's,

Grosvenor Terrace and Bootham Terrace which are of strong Victorian character. This character is established in the Central Historic Core Conservation Area Appraisal. Due to the height and location of the proposed building there would only be distant, glimpsed views of the building, beyond the trees, from Photographic Lane and it would not have a significant impact on the character area. In addition the trees that would be removed do not contribute to the character and appearance of the conservation area.

## ARCHAEOLOGY

4.9 Local Plan policy HE10 requires archaeological deposits of national importance to be preserved in situ; otherwise an excavation of deposits will be required. Due to the foundations required for the proposed building and the storage tank for surface water, archaeology would be affected. As such conditions have been recommended that require a watching brief on groundworks and an excavation and analysis of deposits that would be disturbed to accommodate the proposed development.

## LOSS OF TREES

4.10 There would be a loss of trees, due directly to the footprint of the proposed building, and to accommodate changes to the landscape/layout of the site behind the main school buildings which front onto Bootham. Local Plan policy NE1 states that trees which are of landscape, amenity, nature conservation, or historic value will be protected by refusing proposals which will result in their loss or damage, alternatively when trees are to be removed, appropriate replacement planting should be proposed to mitigate any loss.

4.11 It is proposed 8 trees are removed, 1 of which is deemed to be of moderate value; the others are all of low quality. It is thought the trees are around 50 years old. 13 new trees are proposed. The replacement trees would be aligned along the pedestrian route from Photographic Lane to the school reception and contribute to the setting of a proposed external sitting area to the SE side of the route. In future it is proposed to plant further trees along with landscaping in the area which is presently a car park, to the SE side of the proposed building. A scheme for the car park area is required as a condition of a previous permission which allowed the temporary car park.

4.12 The trees that would be removed are not prominent in views from the public realm, only from surrounding buildings, and therefore there would not be an impact on the character and appearance of the conservation area. Whilst the loss of landscaping is regrettable, as the site becomes more intensely developed, the alterations to the site are required by the school to deliver enhanced facilities and improve the way in which the overall site operates. The proposals adequately compensate for the loss of trees (an overall increase) and therefore the scheme complies with policy NE1.



## AMENITY OF SURROUNDING OCCUPANTS

4.13 Local Plan policy GP1 requires that developments ensure no undue adverse impact from noise disturbance, overlooking, overshadowing or from overdominant structures. The proposed building will be predominantly of a comparable height to the existing Assembly Hall, the roof would sweep up to the central point in the building, and at this point it would be 1.5m higher than the highest point of the Assembly Hall. To the east of the school site the nearest dwellings are 21/23 Bootham Square and 1-18 Bootham Place. The latter has main living rooms which are orientated to face the proposed building, on the former main living rooms are on the front/rear elevation of the building, thus they do not face the proposed building. At its nearest point the proposed building would be 13m from the garden around 21/23 Bootham Square and 29m from the elevation of Bootham Place which looks toward the proposed building. These separation distances are adequate (they exceed the minimum requirements suggested in national guidance by CABI - By Design - for urban areas) to ensure that undue overlooking would not occur and the proposed building would not be overbearing or over-dominant.

4.14 The proposed facility would predominantly be used during school hours and Saturday mornings. There will be occasional evening events which would finish by 22:30. The building design has considered noise breakout from the building and from mechanical plant/equipment. The noise survey submitted with the application advises noise levels would be below the existing ambient noise levels at the nearest noise sensitive fascades (Wandleford House and Bootham Place).

4.15 Environmental Protection Officers can potentially take action under the Control of Pollution Act if there is undue noise disturbance during construction. An informative is proposed to ensure the applicants are aware of such. Planning conditions are not proposed to cover construction. The planning circular 11/95 which relates to the use of conditions advises that conditions should not be used if specific controls are available in other legislation.

## SUSTAINABILITY

4.16 The council's interim planning document on sustainable design and construction (IPD) asks that developments of over 500 sq m floorspace achieve a BREEAM rating of at least very good and generate at least 10% of their energy demand from on-site renewable resources.

4.17 The proposed building has been designed to include natural ventilation and photovoltaic panels are proposed on the roof. The sedum roof is also a welcome addition that acts as a sustainable method of reducing surface water run-off and increases biodiversity. The requirements of the IDP can be secured through appropriate conditions.

## DRAINAGE

4.18 Policy GP15a of the DLP advises that in new development, discharges should not exceed the capacity of the sewer system and surface water run-off should not exceed the existing rate.

4.19 Surface water flows will be limited by means of water flow control device, such as a hydro-brake. In addition the sedum roof will assist with reducing run-off from the proposed building and we are advised it may be that rainwater from a proportion of the roof would be collected via a rainwater harvesting tank for reuse on site. The final calculations for existing and proposed rates are yet to be agreed although this can be achieved via an appropriate condition which will require at least existing rates be maintained.

## HIGHWAY NETWORK MANAGEMENT

4.20 The proposals do not have any implications for highway network management.

## 5.0 CONCLUSION

5.1 The proposed development is of appropriate design quality to be introduced to the school site. The scheme will upgrade the facilities offered at the site, in particular improving and linking facilities with the grade 2 listed Assembly Hall building. The development would not have an undue adverse impact on the setting of the aforementioned listed building, and in this case the benefits of the new facility outweigh the harm of adding development to this part of the site. Due to the location of the building there would not be a material impact on the conservation area and there would be no undue harm to the amenity of surrounding occupants. Approval is recommended.

## COMMITTEE TO VISIT

### 6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years -

2 PLANS1 Approved Plans

3 The development shall be constructed to a BRE Environmental Assessment Method (BREEAM) standard of 'very good'.

A Post Construction stage assessment shall be carried out and a Post Construction stage certificate shall be submitted to the Local Planning Authority prior to occupation of the building. Should the development fail to achieve a BREEAM standard of 'very good' a report shall be submitted for the written approval of the

Local Planning Authority demonstrating what remedial measures should be undertaken to achieve a standard of 'very good'. The approved remedial measures shall then be undertaken within a timescale to be approved in writing by the Local Planning Authority.

Reason: In the interests of achieving a sustainable development in accordance with the requirements of GP4a of the City of York Development Control Local plan and paragraphs 2.1 to 2.4 of the Interim Planning Statement 'Sustainable Design and Construction' November 2007.

4 On-site renewable energy: No building work shall take place until details have been submitted and approved in writing by the Local Planning Authority to demonstrate that no less than 10 % of the development's predicted energy requirements will be provided from on-site renewable energy sources. The development shall be carried out in accordance with the submitted details unless otherwise agreed in writing by the Local Planning Authority. The approved scheme shall be implemented before first occupation of the development.

Reason: In the interests of achieving a sustainable development in accordance with the requirement of GP4a of the City of York Development Control Local plan and the Interim Planning Statement 'Sustainable Design and Construction' November 2007.

5 Materials: Samples of the external timber cladding and copper materials to be used shall be approved in writing by the Local Planning Authority prior to the commencement of the development. A sample panel of the brickwork to be used shall be erected on the site and shall illustrate the colour, texture and bonding of brickwork and the mortar treatment to be used, and shall be approved in writing by the Local Planning Authority prior to the commencement of building works. This panel shall be retained until a minimum of 2 square metres of wall of the approved development has been completed in accordance with the approved sample. The development shall be carried out using the approved materials.

Note: Notwithstanding the palette of materials shown in the submitted sample board the timber finish for window frames, louvers and the exposed structure shall be similar to each other and tone in with the eventual colour of the cedar cladding. To assist in achieving this, it is asked trial samples are provided on site for approval prior to any work commencing.

Reason: So as to achieve a visually cohesive appearance.

6 A detailed hard and soft landscaping scheme shall be approved in writing by the Local Planning Authority prior to development commencing, and the development carried out accordingly. The scheme shall incorporate existing components of the Assembly Hall paving, steps and end blocks, drainage, any fixed components such as fencing, walls or seating, and details of lighting.

This scheme shall be implemented within a period of six months of the completion of the development unless an alternative timescale is agreed by the Local Planning Authority. 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 alternatives are agreed in writing by the Local Planning Authority.

Reason: To preserve the setting of listed buildings within the school site.

7 Trees shown as being retained on Popplewell Associates drawing 2244/9A shall be protected in accordance with BS5837: Trees in relation to construction.

Reason: To ensure that trees are protected during construction.

8 Details of measures to be provided within the design of the new building and landscaping to enhance the biodiversity of the area, such as special habitat features or roosting opportunities, shall be approved in writing by the Local Planning Authority prior to development commencing and the work completed in accordance with the approved details.

Reason: To retain and enhance natural habitats and biodiversity in accordance with policy NE7 of the Local Plan.

9 Details of all machinery, plant and equipment to be installed which is audible outside of the site boundary, when in use, shall be submitted to the local planning authority for approval prior to its first use. These details shall include maximum ( $L_{Amax}(f)$ ) and average sound levels ( $L_{Aeq}$ ), octave band noise levels and any proposed noise mitigation measures. All such machinery, plant or equipment and any noise mitigation measures shall be fully implemented and operational in accordance with the approved details prior to first use and appropriately maintained thereafter.

Reason: In the interests of the amenity of nearby occupants in accordance with policy GP1 of the City of York Draft Local Plan.

10 Details of foul and surface water drainage works shall be approved in writing by the Local Planning Authority prior to development commencing and carried out in accordance with the approved details. Details to include:

a) Calculations and invert levels of the existing and proposed surface water system (to enable the impact of the proposals on the downstream watercourse to be assessed).

- b) Additional surface water shall not be connected to any foul / combined sewer, if a suitable surface water sewer is available.
- c) Proposed ground levels (which should not be raised above the level of the adjacent land, to prevent runoff from the site affecting nearby properties).
- d) Proposed finished floor levels (which should not be raised above the existing Music and Assembly Hall buildings).
- e) Peak surface water run-off from the development attenuated to 70% of the existing rate (based on 1.40 l/s/ha of connected impermeable areas). The scheme shall include storage volume calculations, using computer modelling, allowing for a 1:30 year storm with no surface flooding, along with no internal flooding of buildings or surface run-off from the site in a 1:100 year storm. Proposed areas within the model shall also include an additional 20% allowance for climate change. The modelling shall use a range of storm durations, with both summer and winter profiles, to find the worst-case volume required. Note proven existing connected impermeable areas equate to 417m<sup>2</sup> therefore maximum surface water discharge should be limited to 4.1 l/sec.
- f) Details of future management / maintenance of the proposed drainage system.

Reason: So that the Local Planning Authority may be satisfied with these details for the proper drainage of the site to comply with guidance contained within Planning Policy Statement 25 (Development and Flood Risk) and that provision has been made to maintain the proposed drainage system.

- 11 ARCH1 Archaeological programme required -
- 12 ARCH2 Watching brief required -

## **7.0 INFORMATIVES: Notes to Applicant**

### **1. BATS**

You are reminded that bats are a species protected by law. If bats are discovered during the course of the work, then work should cease in the pertinent area and Natural England consulted.

### **2. CONTROL OF POLLUTION ACT 1974**

The developer's attention is 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 adhered to, failure to do so could result in formal action being taken under the Control of Pollution Act 1974:

(a) All demolition and construction works and ancillary operations, including deliveries to and despatch 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.

(b) 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".

(c) 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.

(d) 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.

(e) 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.

(f) There shall be no bonfires on the site

### 3. 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 heritage assets, amenity, flood risk and highway safety. As such the proposal complies with Policies HE3, HE4, HE10, GP1, GP15 and ED1 of the City of York Development Control Local Plan.

#### **Contact details:**

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