

COMMITTEE REPORT

Date: 19 February 2015 **Ward:** Fishergate
Team: Major and **Parish:** Fishergate Planning
Commercial Team Panel

Reference: 14/02405/LBC
Application at: St Josephs Convent Of Poor Clare Collentines Lawrence Street
York YO10 3EB
For: Internal and external alterations to Convent buildings to provide
student accommodation and ancillary facilities with erection of a
two storey extension to the infirmary wing
By: Vita York 1 Limited
Application Type: Listed Building Consent
Original Target Date: 15 December 2014
Recommendation: Approve

1.0 PROPOSAL

APPLICATION SITE

1.1 The application relates to the St Joseph's Convent site, which is located on the south side of Lawrence Street, between Farrar Street and Nicholas Gardens. An Enclosed Order of the Poor Clare Colettines occupied the site until 2012.

1.2 The main convent buildings and the surrounding walls were listed at grade 2 by English Heritage in 2013. The utilitarian buildings within the site were specifically excluded from the listing. The extent of the listing is shown on Purcell drawing 101, it includes the Lodge, Extern House, Convent building (and its two storey wing to the south), the original and later extended boundary walls.

1.3 The site contains the following buildings -

- The main convent building which was constructed in phases between 1870 and 1874. The 2-storey rear/south wing was completed by 1909; the single storey part at the south end dates from the late C20.
- The Lodge Building/Priest's House which fronts Lawrence Street. It is 2-storey and dates from 1875.
- The Extern House, which is set back from the street, positioned between the Lodge and Convent Buildings. It is predominantly 2-storey and dates from 1875.
- The surrounding walls which were also built in phases, as the site expanded. The original wall was built between 1872 and 1875 and reached to the end of the Burial Ground. The second phase of expansion 1884 to the east encompassed a new orchard. The final phases were in the early C20, to contain the area of agricultural land to the south.

- The site also accommodates workshop buildings, which are to the east of the Convent and Extern House, and were not included in the English Heritage listing description and are proposed for demolition. The earliest of the buildings date from the 1870's, although the majority are from the C20. The buildings assist in the historic understanding of the site.

1.4 There is an Orchard to the NE side of the site, a Cemetery in the SW corner and further gardens, which were used for agricultural purposes, in the south of the site, beyond the former boundary wall which cuts through the site.

PROPOSALS

1.5 The Poor Clare Colettines who formerly occupied the site re-located in 2012 and the site was marketed for residential development. The site was offered in two development parcels; the convent buildings and then the remainder of the site. The preferred occupants; the applicants VITA, propose student occupation (660 units) over the entire site. This allows a predominantly car-free development, which helps retain the garden setting, and re-uses the listed buildings on-site. The schemes presented to the Council at pre-application stage for non-student housing showed considerably more hard-standing and loss of soft landscaping in comparison to the scheme now before members. The schemes for non-student accommodation did not include, therefore did not secure a future for, the main convent building.

1.6 The proposals are to convert the convent and give a glazed infill to the courtyard. There would be accommodation on the upper floors and ancillary uses (hub) for the students at ground floor level. It is proposed to demolish the south wing where it is single storey, this part of the building was not included in the English Heritage listing, and add a 2 storey replacement. The application also includes the following works -

- The utilitarian unlisted buildings to the east of the convent would be demolished.
- The Extern House and Lodge would be converted to student accommodation. There would be 50 student rooms within the retained buildings (Convent, Extern House and Lodge).
- A vehicular entrance would be created in the wall, adjacent 102-106 Lawrence Street.
- Additional buildings (14) would be added in the gardens, ranging in height from 2 storey to 4 storey; there is a companion full planning application (14/02404/FULM) for these buildings. The garden and cemetery to the south of the convent would be retained as existing.

2.0 POLICY CONTEXT

2.1 Development Plan 2005 (4th set of changes) Allocation:

Areas of Archaeological Interest City Centre Area 0006

City Boundary York City Boundary 0001

DC Area Teams East Area (1) 0003

2.2 Policies:

CYHE4 Listed Buildings

3.0 CONSULTATIONS

INTERNAL

ENVIRONMENTAL MANAGEMENT

3.1 Officers support the scheme. The convent buildings are empty and at risk. This scheme will allow their re-use and repair and maintain the listed walls. As the existing building would be able to embody a new community of interest with relatively few justifiable alterations, the qualities that make the heritage asset special would be sustained and its special architectural and historic interest would not be harmed.

3.2 The new development would protect the important buildings by fitting the proposed uses into the existing internal layouts and spaces, which require in the main only minor modifications. In contrast new work, such as the porches and courtyard roof, has been designed to compliment the existing buildings whilst referring in design to aspects of the new phase of development on the wider site.

3.3 Officers also support the proposals for new buildings, which would develop a student village, which (in this proposal) would have a low impact on the distinctive character of the site, due to limited vehicular access, the overall layout (which retains a landscaped setting and provides views through the site of the boundary walls) and the architecture of the new buildings. The scheme demonstrates an understanding of the significance of the place and a deep appreciation of its special qualities.

EXTERNAL

ENGLISH HERITAGE

3.4 Officers have commented upon works to the convent building only, and defer the rest of the scheme to Council officers to assess. There is support in principle for the scheme and note that it requires few interventions to the building. EH support the

proposals for the layout on the upper floors (to accommodate the student rooms) and to cover over the courtyard area.

3.5 English Heritage have raised the following issues, which they consider require further attention -

- Queried whether it is appropriate and if there is need for secondary glazing to the stained glass windows.
- The proposed vents in the courtyard roofs appear too large and too horizontal in emphasis for their context. EH suggest that they are broken up into smaller units of comparable scale to the present gabled dormers or the proposed conservation roof lights.
- EH suggest details of the fire strategy, the suspended ceilings and the proposed raised floor in the courtyard are approved by the LPA.
- Glazed porches: EH welcome the proposed pointed glazed porch for the north elevation (replacing the disfiguring conservatory and reflecting the steeply pitched roof of the lost original porch, whilst being identifiably modern in character). However, it is asked whether pitched roofs would also be more suitable rather than the proposed flat roofed porches for the south and east elevations, which replace existing pitched roofed porches.

COUCIL FOR BRITISH ARCHAEOLOGY

3.6 Made the following comments -

There is no objection to the arrangement of the new buildings, provided they are deemed to be an adequate distance from the perimeter wall and do not harm neighbour's amenity. However there is concern that the scale, design and materials proposed for the new blocks bear no relation to the listed building. In particular suggested that Plaza 1 building has a more domestic appearance.

Asked for images to provided to show the proposed development from Lawrence Street, to assess the impact on the setting.

Welcome retention of the orchard and garden to the south of the convent building.

ANCIENT MONUMENTS SOCIETY

3.7 No objection. Comments as follows

Porches to Convent - both long elevations of the former convent are to have very uncompromising rectilinear glazed porches. There is a widely-advocated philosophy which calls for new "interventions" to be visible as such - we share that belief where circumstances warrant, and justification for the modern interventions is requested.

Reminders of nun's life should be retained within the building. A poignant feature of the present cloisters is the two Oratory Chapels and the impressive Gothic tabernacles inside. If these are not to be retained in situ, can they be re-sited, maybe in the chapel?

Welcome the retention of the burial ground, but ask who will be responsible for its up-keep? and whether this should be secured through a planning condition.

VICTORIAN SOCIETY

3.8 Object, because of the harm that the development would have to the setting of the listed building, comments are as follows -

- Much of the detailed proposals for their adaptation are also positive: the preservation of the spatial integrity of the main chapel, for example, is welcomed.
- Object to the roofing over of the central courtyard. Both spatially and functionally it was and remains an important element of the main house, the form of which was dictated by this open square plot. Given the extent of the site the need for the additional space this would provide has not been established.
- The degree of loss of plan form in this building is also concerning. The cellular nature of the first floor is particularly significant. At present it appears that not even a small portion of the cellular rooms would be retained at this level.
- The new development to the south east of the listed buildings will cause to the special significance of the convent site and its important landscape setting. The sheer number of the buildings, allied to their form and scale, would sully the almost untouched historic site and encroach on the core group of historic buildings, greatly harming its setting.

3.9 No response has been received from the following consultees -

- Georgian Group
- Society for the Protection of Ancient Buildings
- C20 Society

PUBLICITY

3.10 The application was publicised by neighbour notification, press and site notices. The consultation period expired in December 2014. Two comments have been made-

- Concern over the excessive amount of student development in the area. There is a need for affordable housing in the city, which could be accommodated on this site.
- Impact of car parking in surrounding streets.

Materials of the new buildings are out of keeping with their surroundings.

4.0 APPRAISAL

KEY ISSUES

4.1 Section 16 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990 states it is the statutory duty of the Local Planning Authority; that in considering whether to grant listed building consent for any works the local planning authority shall 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. As such any identified harm should be given significant weight in considering the application.

RELEVANT PLANNING POLICY

4.2 The NPPF (paragraph 131) states that in determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

4.3 The NPPF goes on to advise as to when significant and less than significant harm can be allowed. Significant harm may only be justified when necessary to achieve substantial public benefits that outweigh that harm or loss, or when all of the following apply -

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

4.4 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 securing its optimum viable use.

ASSESSMENT

4.5 Proposals are consistent with the National Planning Policy Framework advice set out in 4.2. The development would cause less than substantial harm, due to alterations to the plan form at first floor level. The impact would be low and the overall benefits of allowing re-use of the building, and the sensitive approach to development within the site, outweighs this harm.

4.6 The assessment discusses the works to the existing buildings, followed by an assessment of the proposed new buildings.

WORKS TO THE CONVENT BUILDINGS

Plan form / layout

4.7 On the ground floor the main areas of structural alteration would be against the west wall where the building has been altered or in-filled in the C20th. This is where plant, movie room, WCs, laundry and accessible bedroom suites would be created. The original plan form and means of circulation is retained.

4.8 On the first floor the creation of study bedrooms from the previous cells is the main alteration of significance. The existing cells (which are typically 2m by 3m) are too small to accommodate study bedrooms; so cells have been combined. A high degree of legibility will be preserved by retaining all the corridor doors and by opening up parts of the internal walls (leaving nibs and down-stands) instead of removing them altogether. Furniture layouts have been explored to reduce the extent of the openings.

4.9 The alterations proposed represent less than substantial harm, as established in the framework. It is unlikely an alternative viable use of the building could be found, and as this scheme achieves such with a low level of impact, the public benefits would outweigh the harm.

4.10 The extern house, which fronts onto Lawrence Street is domestic in character and can be converted without alterations that would affect historic fabric.

Environmental performance

4.11 The thermal performance of the building fabric would be upgraded by insulating the attic roof, by providing secondary glazing at windows and by replacing poor quality roof-lights. The proposal to add secondary glazing to stained glass windows, which was queried by English Heritage is no longer proposed.

4.12 A strategy has been devised for introducing more effective environmental services into the building. Where the cloister corridors are being used for horizontal distribution, the impact of services would be reduced by supporting the ducts on

rafts suspended from the ceiling designed to be independent of the walls. The attic would house plant with intake and extract grills formed through the inward facing slated roofs.

4.13 Ventilation grills would not visually detract. They would be positioned in discreet locations, almost flush with the slates and coloured to reduce visual impact. It has been confirmed that the vents cannot be reduced in size and the alternative of more smaller vents would have had a greater visual impact.

4.14 The old boiler house which projects out of the ground would be reduced to ground level providing some external enhancement.

4.15 Further details will be required (through conditions) showing how the fabric and spaces would be protected

Fire strategy

4.16 Alterations, to achieve a suitable means of escape and fire protection, are required to make the building(s) suitable for residential use.

4.17 Two new staircases would be introduced at each end of the first floor corridors to meet required fire-escape distances. The SW one would reuse an existing room. Unfortunately the NW one would need to be external to the building on north elevation. This would interrupt the rhythm of the window band and one of the windows would be adapted to form the exit door. Details would preserve the outer decorative window reveal. Other options have been explored but a satisfactory alternative has not been found.

4.18 Within the building, walls, floors and ceiling are required to achieve 30 minutes fire resistance. The fabric needs to be altered at 1st floor level to achieve this. The proposal involves adding insulation between the floors, lining to ceilings within the studios and the walls between the corridor and each room, and the use of intumescent paint. The approach in principle is supported by officers; the alterations would be reversible, they would not harm or hide historic detailing or the plan form of the building.

Addition of porches

4.19 New glazed porches would be added at the central entrances of the north, east and south elevations. The existing porches are not original, and the replacements would enhance the appearance and legibility of the building.

4.20 The north porch was removed to make way for the flat roofed conservatory in the late C20th. The building would be enhanced by the removal of this poor quality structure. The new porch with its tall pitched roof would reinstate the primacy of this historic main entrance. It would abut the north elevation where previous scars have

been identified. It would also be a contemporary glazed structure signifying the new use.

4.21 The east porch was rebuilt in 1980s and is more solid than the earlier version. The south porch is not original but seems to be contemporary with the infirmary extension. Although the latter has the simple charm of a Victorian timber and glass conservatory, its form does not relate well to the main architectural elements of the original building. These porches offer some draught-proofing but they are not robust structures and they are unlikely to stand up to more intensive use. The new south and east porches have been designed as light-weight glass structures with a flat roof, the roof band lining through with the brick banding of the main elevations, and they would be aligned with the windows above. They are deliberately designed to be a simple light-weight transparent box to enable the original elevations to be appreciated as a whole.

CONVENT COURTYARD

4.22 The plan form has been retained at ground floor level and the chapel is the only large space where occupants can gather in large numbers. In order to protect its spatial character it is proposed to enclose the courtyard to create another large and more informal useable area. A glazed roof is proposed which would be structurally independent of the walls and there would be no services at high level. The inclined glazing would exaggerate its independent form and be used to avoid harm to the pyramidal roofs of the cloister chapels. The only permanent alterations to the cloister walls would be the loss of two windows where doorways would be formed to improve access and circulation within the building. The open quadrangle is one of the defining characteristics of the building type; it would still be legible as such with the proposed glazed roof over, and as the structure would be reversible. The proposal constitutes less than significant harm and is justified, there are other examples where this type of approach has been adopted such as at the Bar Convent (listed at grade 1).

BOUNDARY WALLS

4.23 The walls are intrinsic to understanding the site and create a secluded environment. They also contain niches which relate to the religious use of the site. Repairs and restoration are proposed as part of this application. The main adverse alteration is the creation of a new 5.5m wide access for service and emergency vehicles off Lawrence Street. It would not be possible to develop the site without the opening; the works are justified and by only having a single opening, the harm would be low.

DEMOLITIONS

4.24 The buildings to be demolished are either unlisted or of low architectural/historic importance, the latter being listed by virtue of being extensions

to original buildings. The demolitions would not unduly impact on the special historic and architectural importance of the heritage assets on site.

NEW BUILDINGS AND THE EFFECT ON THE SETTING

4.25 The existing buildings are empty and at risk. Proposals would revitalize the site and repair the buildings and their 1000m long high walls. As the existing building would be able to embody a new community of interest with relatively few alterations, the qualities that make the heritage asset special would be sustained.

4.26 The replacement extension to the south of the convent building (Infirmary Wing) would be lower than the two-storey part of the wing that would be retained, and only the roof would be evident above the boundary wall. The addition respects the scale, proportions and materials of the existing, whilst referencing the new family of buildings proposed within the site. There would be no harm to listed building, the walls and the setting by virtue of this addition.

4.27 The other new buildings proposed are appraised in the companion planning application.

5.0 CONCLUSION

5.1 The proposals reasonably preserve the heritage assets on site; the convent buildings and the boundary walls. The alterations proposed have a low impact, which is out-weighed by the overall benefits of the proposals. The proposals are compliant with the National Planning Policy Framework in this respect.

5.2 The site has been marketed and other interested parties proposals, such as private housing, did not include re-use of the convent building. The proposals within this application retain the listed buildings on site and give them a new use which is consistent with their conservation and in the interests of their long-term viability. The new buildings proposed would reasonably retain the landscaped setting and provide new development which is of high quality and respectful of its context.

5.3 In consideration of the proposals the Local Planning Authority has given adequate consideration to the requirements of Section 16 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

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

2 Approved Plans

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

Purcell Drawings

202, 203h, 204, 205

Convent Buildings – 210a, 211a, 212, 213, 214, 215, 216, 217, 218, 220, 225

Infirmery wing – 229, 230

Extern House – 251a, 252

Lodge – 271a, 272a

Large scale details / roof abutments - 300a

Fuse drawings (14 006 (20))

Masterplan 101 R3

Plaza Buildings

PL1 - 001 R4, 002 R5, 100 R5, 101 R5

Typical sections of Plaza buildings – 21 – PL2 001

Sub-station

SB1 001 R1

Reform drawings (RF14-164)

L01, L02, L04a, L05, L06a, L07a, L08, L09h, L10a, L13, L14b, L15a, L16a, L17

Details of boundary treatment to cemetery – SK - 04B, 05A

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 (at 1:20 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 pertinent part of the development and the works shall be carried out in accordance with the approved details.

Cloister building Extern House & Priest's House

- New doors, external and internal

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Item No: 4d

- New windows, dormers, roof-lights
- Details of application of secondary glazing
- New external fire-escape and canopy and associated changes to existing window and wall
- New porches and their abutment fixings with existing elevations
- Full details of adaptations to typical cells
- New glazed roof over courtyard
- Sections through the new plenum floor in the courtyard
- Adaptations to chapel screen and dais
- Balcony railings to Extern House

Cloister building extension

- New link to Infirmary extension showing external walls & roof in section and elevation
- Typical section through brick building at window positions
- Details of laundry flue and roof vents

Convent walls & other external enclosures

- New vehicular access
- Sections through the walls where the management suite (plaza 1) abuts
- Main pedestrian entrance showing new glazed lobby and relationship with existing gates, wall and transition in surface materials
- New gates onto Lawrence Street
- Typical alterations to form openings in walls within the site

Reason: In the interests of the architectural and historic interest of the listed buildings.

4 Materials

Samples of the materials to be used (for the works listed below) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the pertinent part of the development. The development shall be carried out using the approved materials.

Cloister building, Extern House & Priest's House

- New doors, external and internal
- New windows, dormers, roof-lights
- New external fire-escape and canopy
- New porches
- Glazed roof over courtyard

Cloister building extension

- Sample panel of brickwork, (manufacturer's details of other external materials to be supplied).

Note: Because of limited storage space at our offices it would be appreciated if sample materials could be made available for inspection at the site. Please make it clear in your approval of details application when the materials will be available for inspection and where they are located.

Reason: In the interests of the architectural and historic interest of the listed buildings.

5 Fire Strategy

A method statement and drawings detailing the fire strategy for the convent building shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the pertinent part of the development and the works shall be carried out in accordance with the approved details.

Reason: In the interests of the architectural and historic interest of the listed buildings.

INFORMATIVE : The strategy shall follow the principles outlined by Purcell, submitted 2.2.2015 (indicative section showing services, fire strategy details and Fire Strategy methodology document). However the strategy shall be amended in accordance with CYC comment dated 5.2.2015 unless agreed otherwise.

6 Repairs

Repairs shall be carried out using matching materials and details. Specifications shall be provided where materials and methods vary from the existing construction technique.

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

Contact details:

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