

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 9 May 2012

Page

APPLICATION REF. NO:	11/00396/LBC
STATUTORY DECISION DATE:	9 August 2011
WARD/PARISH:	HUMMERSKNOTT
LOCATION:	St Clares Abbey, Carmel Road North
DESCRIPTION:	Listed Building Consent for alterations to and conversion of the abbey building to create office and residential accommodation by the Brothers of St John of God incorporating space for community use and the creation of a new access within the boundary wall (Additional information received 12 August 2011; Amended plans received 9 February 2012; Amended Design and Access Statement received 24 February 2012; Amended plans received 6 March 2012 and 9 March 2012)
APPLICANT:	Hospitaller Order Of St John Of God

APPLICATION AND SITE DESCRIPTION

St Clares Abbey is a large Grade II listed building which contains a Chapel which has a Grade II* listing. The application site is located on the west side of Carmel Road North within a predominately residential area. The Abbey sits within an enclosed site measuring 2.49 hectares and the site contains a number of mature trees, some of which are covered by a tree preservation order dated 1962.

The site was gifted to the Order of Saint John of God in 2008 by the Poor Clare Sisters who previously occupied the Abbey. The Sisters that lived in Darlington have moved to other accommodation in Hereford following a reduction in their number who resided at the site

The proposal involves the refurbishment of the Abbey including alterations to the Chapel to create residential accommodation for 15 Brothers of the Hospitaller Order of Saint John of God together with office accommodation to be used by the Hospitaller Services of Saint John of God. Some of the larger rooms within the Abbey could be used for community uses. A new access would be created within the existing boundary wall with Carmel Road North

A planning application (reference number 11/00397/FUL) for the erection of a 60 bed nursing home and an 11 bed care home within the grounds of the Abbey with associated access requirements also forms part of this Agenda.

Prior to the submission of the planning applications, a Statement of Community Involvement exercise was carried out in accordance with Council policy. The matters that were raised by local residents were not specifically related to listed building issues.

PLANNING HISTORY

There is no relevant planning history for the site

PLANNING POLICY BACKGROUND

National Planning Policy Framework 2012

Darlington Core Strategy Development Plan Document
CS 14: Promoting Local Character and Distinctiveness

RESULTS OF CONSULTATION AND PUBLICITY

Eighteen letters of objection were received in relation to the original submission. Many of the comments that are raised in the letters are not relevant to the determination of an application for listed building consent but the issues that should be given considerations are summarised below:

- *St Clare's Abbey is a listed building. This rare and unscathed building has a real historical significance. I am concerned that the plans indicate that the new buildings in the grounds of the Abbey are designed to be functional and do not seem to reflect the distinctive architecture of the Abbey. If we have any civic pride we should try our best to employ skills and thought to arrive at a compromise that protects the historic setting and yet provide the social need that the applicant is hoping for. It is possible to design buildings that are in harmony with history.*

Following the submission of the amended plans a further five letters of objection were received but the comments that have been raised are not related to listed building issues

Consultee Responses

Durham County Council Archaeology Section has raised no objections to the proposal subject to the imposition of planning conditions relating to the recording of the building prior to the commencement of the development

English Heritage has raised no objections to the proposal

PLANNING ISSUES

The main issue to be considered here is whether or not the proposal sustains and enhances the significance of the heritage asset (the listed building) and places the building into viable a use consistent with its conservation in accordance with National Planning Policy Framework 2012 (NPPF)

Whilst it is always ideal to see an historic building in its original use, this is not always practical and in order to protect the building, paragraph 134 of the NPPF advises securing the *optimum viable use*. Such a use needs to be practical and usually involves minimal physical alterations to the building; it is helpful if other uses have been considered and ruled out if inappropriate.

The applicants, whose aim is to care for the sick, originally considered a care home use for the Abbey, but found this prohibitive because of the physical alterations required to meet current health care legislation. The office, residential and community uses have been chosen because not only are these the uses that The Order of Saint John of God need they are not unrelated to the original purpose of the building. The building would remain generally unaltered as a result of the proposed change of use and the building should also benefit from any increased accessibility.

It is considered that the proposed uses for the Abbey are appropriate and meet the optimum viable use criteria contained with the NPPF.

Paragraph 131 of the NPPF covers the determination of planning applications and *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation*. The proposed locations and form of change within the Abbey and the Chapel have been guided by a ‘traffic light system’; this system identifies most and least significant parts of the building, in other words those least and most able to take alterations without harming the significance of the listed building. It has informed the Significance Statement included with the application, which is welcomed as a robust approach.

On the ground floor some alterations are required to internal walls and doors, including some removal, to facilitate the office and community uses. As previously described, the larger spaces will be retained and made available for community use and they will not be subdivided. On the first floor the most alteration is proposed including additional subdivision and alterations to include walls to provide a number of flats, residential accommodation for the Brothers. On the second floor some areas will be retained to provide a record of characteristic features (such as the nun’s original cells), which are no longer required. The cells are so small it would not be possible to retain and reuse them all, so the retention of some as evidence of their existence is welcome. The remainder of this floor will be used for storage.

It is considered that the proposed internal alterations, informed by the Significance Statement, are appropriate and will not cause harm to the Listed Building.

Paragraph 132 of the NPPF is about ensuring the conservation of heritage assets and appropriate protection of their significance: “...*Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification...*”

Little alteration is proposed to the Abbey building externally. It is proposed to demolish a small addition on the southern elevation of the building near one of the entrances. This is a weak addition, not particularly well designed and not guided by the symmetry of the entrance, so its loss is welcomed and would accord with the NPPF.

A new access is proposed onto Carmel Road North to the south of the Abbey. This is required because of the narrow and historic nature of the existing access. This will require partial demolition of the Listed wall. The location and form of the proposed access is important, and has been designed to meet Highway requirements but not compete with the existing historic

access, which is positive. There will also be screening for proposed car parking and retention of a lot of the existing landscape and protected trees on site.

Part of the western (rear) wall is proposed to be demolished to accommodate the chapel element of the proposed Elderly Religious accommodation and to enable it to protrude through the wall. It is important that the chapel is a prominent part of this new building particularly for the purpose proposed, so a small amount of wall loss is considered appropriate. Some of the existing northern wall is proposed to be demolished in order to create an additional access to Cardinal Gardens for maintenance purposes. As a relatively minor alteration to this Listed wall, it is not considered to be harmful to the Listed Building, because it does not obstruct interpretation of the original site. These applications propose to demolish two walls internal to the site that run west to east from the rear of the site. This is necessary because of the position on the site of the proposed Nursing Accommodation and because it lies in very close proximity to the proposed Elderly Religious Accommodation.

It is considered that in accordance with paragraph 132 of the NPPF, the proposed external alterations, informed by the Significance Statement, are appropriate and will not cause harm to the Listed Building or its setting.

Policy CS14 of the Core Strategy requires that developments protect and enhance the quality and integrity of Darlington's built heritage. The development is considered to be in accordance with this policy.

English Heritage is satisfied that there are no physical alterations to the Grade II* Chapel and they welcome the reuse of the Chapel as a place of worship. They have no objections to the internal works to the listed buildings.

The Durham County Council Archaeology Section supports the application in its aim to retain a historically important building within the Borough. However, they have requested the imposition of planning conditions to ensure that a detailed photographic survey is undertaken to show historic features before significant change occurs to the layout of the rooms within the building.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998

The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. It is not considered that the contents of this report have any such effect.

CONCLUSION

The proposal involves the refurbishment of the Abbey to create residential accommodation for 15 Brothers of the Hospitaller Order of Saint John of God together with office accommodation to be used by the Hospitaller Services of Saint John of God. Some of the larger rooms within the Abbey could be used for community uses. It is considered that the proposed use of the building is acceptable and that the internal and external alterations will sustain and enhance the significance of the building. The proposal would accord with the National Planning Policy Framework 2012 and Policy CS14 of the Core Strategy.

RECOMMENDATION

LISTED BUILDING CONSENT BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

- 1) A5 – LB Applications (Implementation Limit)
- 2) Prior to the commencement of the development a programme for recording the building in accordance with a written scheme of investigation shall be submitted to and agreed in writing by the Local Planning Authority. The programme shall include:
 - a) Methodologies for an English Heritage defined photographic survey prior to any conversion works or stripping out of fixtures and fittings
 - b) A timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the approved strategy
 - c) Monitoring arrangements, including the notification in writing to the County Durham County Archaeologist of the commencement of archaeological works and the opportunity to monitor such works
 - d) A list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications
- 3) The historic building recording strategies shall not be carried out otherwise than in complete accordance with the approved details and timings
REASON: To comply with Policy CS14 of the Borough of Darlington Core Strategy 2011
- 4) Prior to the occupation of the use, a copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the County Durham Historic Environment Record. This may include full analysis and final publication. Reporting and publication must be within one year of the date of the completion of the development hereby approved
REASON: To comply with the National Planning Policy Framework
- 5) B7 – Detailed Application (Listed Buildings)

SUGGESTED SUMMARY OF REASONS FOR GRANTING PLANNING PERMISSION

The proposal involves the refurbishment of the Abbey to create residential accommodation for 15 Brothers of the Hospitaller Order of Saint John of God together with office accommodation to be used by the Hospitaller Services of Saint John of God. Some of the larger rooms within the Abbey could be used for community uses. It is considered that the proposed use of the building is acceptable and that the internal and external alterations will sustain and enhance the significance of the building. The proposal would accord with the National Planning Policy Framework 2012 Policy CS14 of the Core Strategy.