

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 18 October 2017

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| APPLICATION REF. NO: | 17/00583/LBC |
| STATUTORY DECISION DATE: | 31 OCTOBER 2017 |
| WARD/PARISH: | HUMMERSKNOTT |
| LOCATION: | St Clare's Abbey, Carmel Road North |
| DESCRIPTION: | Listed Building Consent for conversion of Nunnery and Chapel into 10 No. dwellings and the retention of the existing gatehouse dwelling. Demolition of ground floor lean-to extension, widening of boundary wall to create vehicular access and internal alterations to remove walls, block up doors and insert partition walls, doors and staircases. External alterations to insert external doors (amended description) (amended plans and additional information received 14 September 2017) |
| APPLICANT: | Mr and Mrs Mitchell |

APPLICATION AND SITE DESCRIPTION

St Clare's Abbey is located within a predominately residential area albeit Carmel College and its playing fields lie to the west. The Abbey is positioned behind a high stone wall along the Carmel Road frontage. A gatehouse entrance is currently the main entrance into the site for both pedestrians and vehicles and there are a set of timber gates further north along the frontage which provides the service entrance. There is a burial ground within the site to the south of the existing gatehouse access. The application site is bounded by a mix of high brick walls, hedges and fencing. The north, east and south boundaries have significant tree coverage and a number of the trees in and around the site are covered by a tree preservation order dated 1962.

St Clare's Abbey is a Grade II listed building and the Chapel within the Abbey building is a Grade II* listed building.

The proposed involves the conversion of the building into ten dwellings with associated internal and external alterations to the building facilitate the proposed change of use and the removal of a section of the Carmel Road North boundary wall to widen the existing service entrance to create the main vehicular access to the site. A planning application (reference number 17/00582/FUL) for the conversion, the retention of existing gatehouse as private dwelling with associated internal and external alterations, the demolition of ground floor lean to building, the widening of the existing driveway to create new vehicular access off Carmel Road North, the erection of

timber stables, the creation of parking areas, a horse arena, a 3G football pitch (for private use) and associated landscaping works has been submitted and forms part of this Agenda.

The planning application has been accompanied by a level of information which is proportionate to the significance of the heritage assets, including a Heritage Asset Statement, a Significance Assessment and a Design and Access Statement.

PLANNING HISTORY

The most recent planning history for the site is:

11/00396/LBC In May 2012 listed building consent was GRANTED 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

11/00397/FUL In January 2013 planning permission was GRANTED subject to a Section 106 Agreement for erection of 60 bed nursing home, an 11 bed care home, conversion of existing abbey to create office and residential accommodation by the Brothers of St John of God incorporating space for community use, an access road to Carmel Road North and associated car parking with internal access roads

PLANNING POLICY BACKGROUND

The relevant national and local development plan policies are:

Darlington Core Strategy Development Plan Document 2011

CS14 Promoting Local Character and Distinctiveness

National Planning Policy Framework 2012

RESULTS OF CONSULTATION AND PUBLICITY

Eight letters of objection were received from five households in relation to the original submission. However, the matters that have been raised in all of the letters are not material planning considerations for a listed building application (for example, highway safety and residential amenity matters. These matters would be considered by the planning application reference number 17/00582/FUL)

Historic England has submitted a letter in support of the planning application.

PLANNING ISSUES

Policy CS14 of the Darlington Core Strategy Development Plan Document 2011 seeks to protect, enhance and promote the quality and integrity of Darlington's distinctive designated national or nationally significant built heritage.

Paragraph 131 of the National Planning Policy Framework 2012 states that when determining planning applications, the local planning authority 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

Paragraph 132 states when considering the impact of a proposed development on the significance of a designated asset, great weight should be given to the asset's conservation and the more

important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset and any harm or loss should require clear and convincing justification. Substantial harm or loss of a grade II listed building should be exceptional and substantial harm of designated assets of the highest significance such as Grade II * listed buildings should be wholly exceptional.

Paragraph 133 sets out the requirement to consider whether a proposed development will lead to substantial harm, or total loss of a designated heritage asset, in which case planning permission should be refused unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

Where a proposed development will lead to substantial harm to or total loss of significance, local planning authorities should refuse consent unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

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

Where a development will lead to less than substantial harm to the heritage asset, this harm should be weighed against the public benefits of the proposal including bringing securing its optimum viable use. (Paragraph 134 of the NPPF).

The List entry for the Abbey describes a Convent built in 1856 – 57 by Joseph Aloysius Hansom and Charles Hansom for the Order of Poor Clare Sisters. It is a significant building as Joseph Hansom was one of the leading Catholic architects of the 19th Century and because of the quality of its design, composition and execution and its overall level of intactness. The Abbey, lodge, walls and ancillary garden buildings are Grade II listed buildings and the Chapel is a Grade II* listed building. The brick wall that encloses the site and the secluded nature of the site contribute towards the character and significance of the Abbey and as there has been little alteration to the buildings and the site, any new development proposals must be well designed and located so as not to cause harm.

The chapel is separately listed as a Grade II* listed building and has the following additional significance:

- a) It is a high quality and little altered example of Catholic church design, retaining significant elements of exceptional quality;
- b) The quality and detailing of the carved stone reredos, altar and choir screen is exceptional in the national context, the jubé being a rare survival.

The submitted Heritage Statement submitted with the planning application highlights that the biggest threat to a historic building is vacancy. This proposal would bring a vacant building back into an economically viable residential use which is more likely to ensure the listed building is maintained preventing deterioration and damage that can be caused as a result on a building

remaining vacant. The principle of the change of use is supported by the Council's Heritage Asset Officer. The remainder of this Report will consider the various aspects of the submission in more detail.

Courtyards

There are some internal enclosed courtyards and cloister quadrangle spaces within footprint of the building that would form the amenity spaces for the proposed dwellings. These areas add to the aesthetic, historical and communal value of the listed building, especially the cloisters. There was a concern that in order to subdivide these areas into private amenity spaces, the occupiers will wish to erect walls, fences etc which would impact upon the significance of such areas but the applicant has agreed to a planning condition to remove the permitted development rights for the erection of such features which will be attached to any grant of planning permission (ref no 17/00582/FUL) only as such alterations would require listed building consent.

Internal Alterations

The most significant element of this heritage asset is the Grade II* Chapel. The HS states that the Chapel would be preserved within the main residential unit (Dwelling No 1) and would be available to be viewed by appointment. No alterations are proposed to the Chapel.

The ground floor, first floor and attic layouts (i.e. the alterations required to deliver the conversion) of the remainder of the building have been discussed with Officers and Heritage England and amended during the pre-applications process to ensure the conversion can be accommodated with minimal internal changes. However, internal changes are inevitable to deliver a subdivision of what currently is a large ecclesiastical building. It is also inevitable that re-use will impact on some important aspects of its character - in this case it is the corridors. Subdivision not only leads to the loss of some historic fabric but markedly restricts the flow of the building and so weakening the sense of connection which underpins its ecclesiastical design. To deliver such a conversion / change of use some of this layout will be lost but the conversion has been amended to ensure that the subdivision of this space is limited. Furthermore the method of dividing the space has been done to allow the arched corridor form to be readable.

Large scale plans showing precise details of roof structures, staircases, handrails, balustrades, service installations (for Unit 1 only), retained wall nibs, archway infills, doors etc have been submitted for consideration and the Council's Heritage Asset is satisfied with the information that has been provided.

External Alterations

The demolition of the lean to structure on the south elevation of the building would enhance the listed building and the significance of this particular elevation. The external alterations to the building are few and minor and the designs of any new external doors and windows are considered to be acceptable. A Method Statement has been submitted in support of the planning application to highlight how original windows would be repaired, how brick walls would be made good and it addresses all the areas of repair to the listed building and curtilage listed boundary wall to enlarge the existing access. Where brickwork is to be removed to form a new opening they would be removed with care to avoid damage, cleaned, sorted, stacked and covered to protect them from the elements and for re-use. Where areas of brickwork infill are needed to make good the walls around new openings and to infill openings this would include matching the

existing face bond and pointing. It is essential that any bricks that are in a satisfactory condition are reclaimed and reused where repairs are necessary.

The Council's Heritage Asset Officer is satisfied with all the information in the Method Statement including the window, roof, rainwater goods and stone repairs. This Method Statement needs to be accorded with during the conversion by all contractors and which would be secured by a planning condition.

A photographic record of the ecclesiastical features of the building has been supplied to supplement the Significance Assessment which would need to be deposited onto the Historic Environment Record which would be secured by a planning condition.

Streetscape and Access

The existing vehicular access through the archway would be used as a pedestrian access with a video intercom with the existing pair of gates to be retained. The existing single pedestrian access gate would be retained but fixed shut. To form a suitable vehicular access it is proposed to demolish two sections of the curtilage listed boundary wall on either side of the existing service entrance. The Method Statement provides details of how the brick wall will be "made good" following the creation of the widened access and the Council's Heritage Asset Officer is satisfied that the methods are appropriate.

Parking areas, Stables, Horse Arena and 3G Pitch

The impact that these features will have on the setting of the heritage assets will be considered as part of planning application reference number 17/00582/FUL that forms part of this Agenda.

Historic England Comments

Historic England has submitted a letter of support with the following recommendation:

"Historic England supports the applications on heritage grounds subject to any clarifications and assurances that your (the Council) in-house conservation advisors may wish to make"

Other Matters

A condition has been recommended as part of the planning application (ref no: 17/00582/FUL) to remove all domestic permitted development rights in order to retain control over any future improvements, alterations and extensions to the individual units and the erection detached structures within the curtilage of the site.

It is advisable for the applicant to engage a specialist (preferably with ICON accreditation) to commission a condition and maintenance plan for the exterior and interior of the chapel building and to be aware that Historic England and the Local Planning Authority must be made aware of any potential issues as the Ecclesiastical Exemptions for such works would end once the chapel has been formally closed as a place of worship. This would have the added financial benefit for the occupier in the medium to long term by avoiding substantial repairs caused by poor maintenance. This can be secured by an Informative.

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

Paragraph 134 of the National Planning Policy Frameworks asks that where harm to the significance of a heritage asset is less than substantial in degree that the harm is weighed against the public benefits of a proposal, including securing its optimum viable use. St Clare's Abbey has been vacant now for a number of years and therefore it is essential that a new use is secured.

Furthermore it has a unique character than can create a distinctive and attractive place to live. Consequently it is desirable, in respect to paragraph 131 of the NPPF, to find a new use for the building. The proposal would deliver this broad public benefit in a way that strikes a balance between viability and the significance of the heritage asset. The Council's Heritage Asset Officer and Historic England are supportive of this proposal to convert this unique listed building into a high quality residential scheme. This is entirely in accordance with the principles of constructive conservation defined by Historic England as a positive, well-informed and collaborative approach to conservation using understanding of significance to manage change.

This is a sensitive conversion of this heritage asset along which would respect the areas of high and medium significance. In this regard it accords with the principles of constructive conservation set out by Historic England, with the understanding and significance of the site provided in the supporting documents (Significance Assessment) informing the alterations needed to deliver this innovative scheme for an alternative residential use.

Taking into consideration the impact of the scheme, the 'less than substantial harm' to the significance of the listed building is considered to be outweighed by the significant public benefits identified in accordance with the NPPF. The proposal would accord with both national and local development plan policies.

RECOMMENDATION

LISTED BUILDING CONSENT BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

1. A5 – LB Applications (Implementation Limit)
2. The development or each phase of development hereby approved shall not be carried out otherwise than in complete accordance with the document entitled "Methods Statements – Version 01" dated 14 September 2017 and produced by Xsite Architecture unless otherwise agreed in writing by the Local Planning Authority
REASON: In order to safeguard the setting and significance of the heritage asset in accordance with the National Planning Policy Framework 2012 and CS14 (Promoting Local Character and Distinctiveness) of the Darlington Core Strategy Development Plan Document 2011
3. Prior to the commencement of the conversion works for Dwellings 2 to 10 or each phase of the conversion as shown on the approved plans, precise details of the routes for all service installations shall be submitted to and approved in writing by the Local Planning Authority. The details shall include electrical cabling, plumbing and heating systems and the development shall not be carried out otherwise than in complete accordance with the agreed scheme which shall then be fully implemented prior to the occupation of each unit

REASON: In order to safeguard the setting and significance of the heritage asset in accordance with the National Planning Policy Framework 2012 and CS14 (Promoting Local Character and Distinctiveness) of the Darlington Core Strategy Development Plan Document 2011

4. Prior to the development being occupied, a copy of the reports entitled “Significance Assessment St Clare’s Abbey, Darlington” dated May 2010 and produced by The Architectural History Practice Limited and “St Clare’s Abbey – Darlington. Building Photographic Record of Ecclesiastical Features” dated August 2017 and produced by Xsite Architecture shall be deposited at the County Durham Historic Environment Record, and archiving required as part of the mitigation strategy shall be deposited at an agreed repository. This may include full analysis and final publication.

REASON: To comply with paragraph 141 of NPPF to ensure that the developer records and advances understanding of the significance of the heritage asset to be lost (wholly or in part) in a manner proportionate to its importance and the impact, and to make this evidence (and any archive generated) publicly accessible

5. The development hereby permitted shall be carried out in accordance with the approved plans, as detailed below:

- a) Drawing Number 215 11B Ground Floor & Basement Demolition Plan
- b) Drawing Number 215 12 – First Floor Demolition Plan
- c) Drawing Number 215 13 – Second Floor Demolition Plan
- d) Drawing Number 215 31A North & South Demolition Elevations
- e) Drawing Number 215 32 – West and East Demolition Elevations
- f) Drawing Number 215 33 – Demolition Elevations AA & BB
- g) Drawing Number 215 34 – Demolition Elevations CC & DD
- h) Drawing Number 215 35 – Demolition Elevations EE & FF
- i) Drawing Number 215 36 – Demolition Elevations GG & HH
- j) Drawing Number 215 37 – Demolition Entrance Elevation
- k) Drawing Number 220 01C Proposed Basement and Ground Floor Plan
- l) Drawing Number 220 02 – Proposed First Floor Plan
- m) Drawing Number 220 03B – Proposed Second Floor Plan
- n) Drawing Number 221 21B – Proposed Elevations AA & BB
- o) Drawing Number 221 22A Proposed West & East Elevations
- p) Drawing Number 221 24 – Proposed Elevations CC & DD
- q) Drawing Number 221 25A Proposed Elevations EE & FF
- r) Drawing Number 221 26A Proposed Elevations GG & HH
- s) Drawing Number 221 27 – Proposed Entrance Elevation
- t) Drawing Number 212 12F - Proposed Site Plan
- u) Drawing Number 212 13A Proposed Site Plan Tree Locations
- v) Door Schedule Rev A
- w) Window Schedule Rev A
- x) Drawing Number 256 01 Retained wall nib detail sheet 1
- y) Drawing Number 256 02 Retained wall nib detail sheet 2
- z) Drawing Number 256 03 Archway wall infill detail sheet 1

- aa) Drawing Number 256 04 Archway wall infill detail sheet 2
- bb) Drawing Number 256 05 Wall infill detail sheet 3
- cc) Drawing Number 256 06 Archway wall infill detail sheet 4
- dd) Drawing Number 256 07 Archway wall infill detail sheet 5
- ee) Drawing Number 256 08 Existing door in wall infill
- ff) Drawing Number 256 20 Proposed doors and windows details
- gg) Drawing Number 256 30 Typical new stair design
- hh) Electrical cabling drawing - Ground Floor for Dwelling No 1
- ii) Electrical cabling drawing - First Floor for Dwelling No 1
- jj) Electrical cabling drawing - Second Floor for Dwelling No 1
- kk) Heating system drawing – Ground Floor for Dwelling No 1
- ll) Heating system drawing – First Floor for Dwelling No 1
- mm) Heating system drawing – Second Floor for Dwelling No 1
- nn) Radiator images for Dwelling No 1
- oo) Stable drawing by Colt dated 31.08.17

REASON – To ensure the development is carried out in accordance with the listed building consent

THE FOLLOWING POLICIES AND DOCUMENTS WERE TAKEN INTO ACCOUNT WHEN ARRIVING AT THIS DECISION:

Darlington Core Strategy Development Plan Document 2011

CS14 Promoting Local Character and Distinctiveness

National Planning Policy Framework 2012

INFORMATIVES

The applicant is advised to engage a specialist (preferably ICON accredited) to commission a condition and maintenance plan for the exterior and interior of the Grade II* Chapel. The Maintenance Plan should be updated annually and any matters that arise should be brought to the attention of Historic England and the Local Planning Authority.