

12 DCCE2003/2886/F - PROPOSED CHANGE OF USE OF A FORMER CHAPEL TO CREATE 1 NO. DWELLING AND 2 NO. CAR SPACES AT FERRY LANE CHAPEL, FERRY LANE, FOWNHOPE, HEREFORDSHIRE

For: Malvern Properties Estates Ltd., per Interplan Design Partnership Ltd., Halbury House, Much Birch, Hereford, HR2 8HJ

Date Received: 23rd September 2003 Ward: Backbury Grid Ref: 57682,34507

Expiry Date: 18th November 2003

Local Member: Councillor Mrs. J.E. Pemberton

1. Site Description and Proposal

1.1 The site comprises a vacant chapel positioned prominently on the north-west side of Ferry Lane, within the Fownhope Settlement and Conservation Area. It is positioned right on the road with no curtilage. To its side and rear are further closely-grouped residential properties, including Chapel Cottage which is attached.

1.2 The proposal is to convert the chapel to a single two bedroom dwelling. Alterations would be all internal with the exception of six roof lights in the side elevation.

2. Policies

2.1 South Herefordshire District Local Plan:

Policy GD1	-	General Development Criteria
Policy C2	-	Settlement Boundaries
Policy C5	-	Development within AONB
Policy C22	-	Maintain Character of Conservation Areas
Policy C23	-	New Development affecting Conservation Areas

2.2 Herefordshire Unitary Development Plan (Deposit Draft):

Policy S2	-	Development Requirements
Policy DR1	-	Design
Policy LA1	-	AONB's
Policy HBA6	-	New Development within Conservation Areas

3. Planning History

3.1 CE2003/0951/F Proposed change of use of former chapel to create 2 no. dwellings including 2 no. car spaces. Withdrawn 17/06/03.

4. Consultation Summary

Statutory Consultations

4.1 Dwr Cymru Welsh Water: recommends conditions.

Internal Council Advice

4.2 Head of Engineering and Transportation: recommends condition.

4.3 Chief Conservation Officer: no objection

4.4 Head of Strategic Housing Services: recommends smoke alarms.

5. Representations

5.1 Fownhope Parish Council: application is supported but car parking is very limited and should be end on to the land, and with greater depth.

5.2 Fownhope Residents' Association: no objection.

5.3 One letter of objection has been received from Mr. B. McLaughlin of 7 Cantilupe Street, Hereford summarised as follows:

- inadequate utility/garden space;
- inadequate parking on isolated "green field" site with inadequate turning; parking area detrimental to views from new houses;
- site only suitable for holiday let;
- inadequate escape routes.

The full text of this letter can be inspected at Central Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

6.1 The main issues in this case are the suitability of the building for the intended use, and if this is established, the quality of the conversion design, the impact on neighbours amenities and highway safety.

6.2 The proposal is to convert the building to residential use. Having regard to the location amongst other residential properties within the settlement, use for this purpose is considered appropriate as a matter of principle. The fact that there is no 'garden' with the building is not considered to be sufficient reason to raise objection, this being a matter of choice dictated by the market. Loss of a community facility can be a material consideration although in this case Fownhope is well equipped with other facilities and, in any event, the location of the chapel is now considered unsuitable for "busy" community uses having regard to the lack of parking facilities and the close relationship with adjoining residential properties.

6.3 The scheme itself respects the character and appearance of the original chapel by minimising the extent of external alteration. The building would continue to "read" as a chapel notwithstanding its residential use. To safeguard the privacy of the adjoining house, obscured glass is recommended to be used in the side elevation rooflights and existing main window.

6.4 The site has no parking itself, space indicated to be provided in a lay-by further along Ferry Lane. Having regard to the sustainable settlement location where there is access to local amenities and public transport, no objection is seen to a no parking

approach. On street parking in Ferry Lane is, however, available as demonstrated in the application.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

1. **A01 (Time limit for commencement (full permission)).**

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2. **The development shall be carried out in all respects strictly in accordance with the approved plans (drawing nos. DM/03/CH/02A, /03A, /04A, /05A), except where otherwise stipulated by conditions attached to this permission.**

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.

3. **The roof lights shall be of the conservation type.**

Reason: To safeguard the amenities of the Conservation Area in accordance with Policy C23 of the South Herefordshire District Local Plan.

4. **The north-west facing rooflights and existing north-west facing window (serving stairs) shall be glazed with obscured glass and fixed shut.**

Reason: To safeguard residential amenity in accordance with Policy GD1 of the South Herefordshire District Local Plan.

5. **C07 (Painted finish to windows/doors).**

Reason: To safeguard the character and appearance of this building within the Conservation Area.

6. **C12 (Repairs to match existing).**

Reason: To safeguard the character and appearance of this building within the Conservation Area.

7. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no windows/dormer windows other than those expressly authorised by this permission shall be constructed in any elevation of the property other than those expressly authorised by this permission.**

Reason: To safeguard the character and appearance of the building having regard to its location within the Conservation Area and to accord with Policy C23 of the South Herefordshire District Local Plan.

8. **F16 (Restriction of hours during construction).**

Reason: To protect the amenity of local residents.

9. Foul water and surface water shall be drained separately from the site.

Reason: To protect the integrity of the public sewerage system.

10. There shall be no, direct or indirect, discharge of surface water or land drainage run-off to to the public foul sewer.

Reason: To safeguard the public sewerage system and reduce the risk of surcharge flooding.

Notes to Applicant:

- 1. N03 - Adjoining property rights.
- 2. N14 - Party Wall Act 1996.
- 3. If a connection is required to the public sewerage system, the developer is advised to contact the Dwr Cymru Welsh Water's Network Development Consultants on 01443 331155.
- 4. The proposed development is crossed by a trunk/distribution watermain. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. It may be possible for this watermain to be diverted under Section 185 of the Water Industry Act 1991, the cost of which will be re-charged to the Developer.

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.