

9 DCNW2007/2155/F - CHANGE OF USE OF THE WEST PART OF THE NAVE TO SHOP AT ST LEONARD'S CHURCH, GREEN LANE, YARPOLE, HEREFORDSHIRE**For: Croft with Yarpole Parochial Church Council per Mr RWJ Chitham, South Bank, Green Lane, Yarpole, Herefordshire, HR6 0BD****Date Received:****4th July 2007****Ward: Bircher****Grid Ref:****46974, 64848****Expiry Date:****29th August 2007**

Local Member: Councillor WLS Bowen

1. Site Description and Proposal

1.1 The application site is west part of the nave of Saint Leonards Church. This Grade II* listed church lies in the centre of the village of Yarpole. The church itself is an important medieval church with an outstandingly interesting detached belfry that is Grade I listed. Pedestrian access is available from Green Lane.

1.2 This application is for the change of use only to part of the building. For information purposes some draft indicative plans of the internal alterations have been provided. However this level of details is still being negotiated with the Diocesan Advisory Committee and the Council's Historic Building Officers. Separate applications for Listed Building Consent and Planning Permission (if necessary) for any physical alterations will be submitted if the change of use is considered favourably.

2. Policies

S1 – Sustainable Development

S5 – Town Centres and Retail

S7 – Natural and Historic Heritage

DR2 – Land Use and Activity

E10 – Employment Proposals within or adjacent to Main Villages

TCR14 – Village Commercial Facilities

HBA3 – Change of Use of Listed Buildings

3. Planning History

3.1 None on site.

3.2 History relating to temporary community shop to rear of The Bell Inn, Yarpole:-

DCNW2005/0088/F - Erection of a temporary portacabin for village shop and post office - Approved 10th March 2005 (2 year temporary permission).

DCNW2007/0478/F - Siting of a temporary portacabin for village shop and post office - Approved 12th April 2007 (2 year temporary permission).

4. Consultation Summary

Statutory Consultations

4.1 None

Internal Council Advice

4.2 The Environment Protection Manager raises no objection.

4.3 The Transportation Manager raises no objection.

4.4 The Conservation Manager makes the following comments:-

- The introduction of new uses into churches is generally to be welcomed and I consider the principle here to be very positive in bringing greater use to a building at the heart of the community.
- The application form says there will be no external alterations and it is indeed important to avoid unnecessary changes in the churchyard because the setting of the detached belfry is sensitive. A condition would be appropriate to require any advertisements, direction signs, lights or other features arising from the change of use to be the subject of the Council's written approval.
- There are no details of how the shop will work inside. Once this change of use is agreed, the west end of the church will lose the ecclesiastical exemption from listed building controls because it will no longer be a building (in the Act the definition of a 'building' includes 'part of a building') in use for ecclesiastical purposes. It is important that the application contains a plan of the building which shows the area to be changed and that the applicants also submit a schedule of the internal works required to accommodate the retail use, because in determining the planning application this Council must have regard to the effect of the change of use on the listed church. If necessary an application for listed building consent should be made.
- No objection in principle but further information required about the interior of the church and the works to be carried out to accommodate the shop before a conservation recommendation can be made.

4.5 On the submission of indicative plans the Conservation Manager made the following comments:-

- The most significant implications of the change of use are subdivision of the interior of the church, the formation of a new entrance and the setting out of a 'patio' outside the proposed shop door.
- The west end of the interior has already been screened off, and this proposal is broadly acceptable in terms of the additional effect on the interior. The exact extent and details of that subdivision could be the subject of a condition on this permission. The details will also form part of an application for listed building consent. I note that the Diocesan Advisory Committee (DAC) has not dismissed the principle but has raised concerns about the details.
- The formation of a new entrance is too expansive in terms of ancient fabric and too damaging to the appearance of the church. The porch should remain the single access point. It is very important that it is made clear that approval of the change of use does not convey approval of this proposed doorway. (The DAC is also of this view).

- The patio would be a hard and urban element which would harm the appearance of the churchyard and the setting of the Grade I Belfry. Again this element should be excluded from the approval of the use.
- Approval recommended in principle but the proposed doorway and paved area to be excluded.
- A condition that the details of the work to the interior of the church be agreed in writing prior to commencement would be appropriate.

5. Representations

5.1 Yarpole Parish Council- No response

5.2 One letter of support has been received from Mr & Mrs Wingfield, 6 Phillips Acre, Yarpole which can be summarised as follows:-

- The community shop in Yarpole is an outstanding example of what can be achieved by a small village such as Yarpole when villages pool their resources and offer their time on a voluntary basis.
- The shop provides an essential local facility for those that cannot drive and it helps minimise the impact on the local environment.
- The facility within the church will be to the benefit of the local community.
- The application should be supported and encouraged to continue to offer a sustainable and environmentally friendly service to the community.

5.3 Letters of objection have been received from:

- Richard Elway, Stone Cottage, Leys Lane, Bircher
- Mr & Mrs Taylor, Virginia Cottage, Green Lane, Yarpole
- Dr Boulton, Long Fridays, Yarpole

Comments can be summarised as follows:--

- I am not in favour of the church being used for such a purpose, even if it does attract funding. This is not justification.
- It is intended to be used as a Post Office but Yarpole not sure it will retain a Post Office.
- As a resident I would not be prepared to use a shop in a church, but may use the one in the Bell car park or even Village Hall, which is woefully underused.
- Concern relating to car parking outside church causing problems for residents nearby.
- Concern regarding delivery vehicles parking on road.

5.4 In support of the application the Yarpole Community Group Project has provided a copy of the questionnaire that was distributed to all households in the Parish in April and a note subsequently published in the Parish Newsletter analysing the responses received. This letter (received 16th July 2007) states that in broad terms local people are in favour of the proposal by a majority of 85% (109 questionnaire forms were returned out of a possible 310 households).

5.5 The full text of these letters can be inspected at Northern Planning Services, Garrick House, Widemarsh Street, Hereford and prior to the Sub-Committee meeting.

6. Officer's Appraisal

- 6.1 This application, for the change of use of part of the church for use as a village shop and associated Post Office, raises several issues for consideration:
- a) The principle of a village shop in this location
 - b) Highway safety issues and implications
 - c) Impact on the conservation Area and Setting of the Listed Building
- 6.2 Policy TCR14 of the UDP (2007) makes provision for new retail and commercial developments subject to them being of an appropriate scale and it not threatening the vitality of viability of an existing centre or compromising the County's retail hierarchy. The proposed shop and post office within the church would take over from the current temporary arrangement of the portacabin sited on land adjacent to the Bell Inn Car park. This permission expires in April 2009. As such this would not be an additional service but continuing one. There are no objections, as a matter of principle to a village shop and post office being provided in this central location as it is of an appropriate scale and would not impact on the retail hierarchy of the surrounding area. It will continue to provide an important local facility for the village.
- 6.3 The application site lies in the centre of the village. The scale of the shop is relatively small, offering a local service for convenience goods and post office facilities. The highway outside of the church along Green Lane is suitable for on-road parking and is used in this way by users of the church. The level of use of the shop is unlikely to be of such a scale that would cause a highway safety issue. It is also worth noting that prior to the shop being located within the portacabin to the rear of the Public House, the shop was located approximately 75m east on the junction of Green Lane.
- 6.4 Deliveries to the shop would also be able to be accommodated from the highway. Should any alterations be required to provide access to the site for vehicles (including alterations to the access or laying of any hard surface) this would require the benefit of planning permission, which would be considered accordingly on its own merits. One letter of objection raises the possibility of demarking parking areas for the shop and residents, the parking is however on a public highway and this is not within the application site or jurisdiction of the applicant or planning authority. In considering this use, the highway safety impact of parking and manoeuvres have been carefully appraised and the Council's Planning and Highway officers are satisfied that the proposal complies with policy DR3 of the UDP (2007).
- 6.5 Although this application relates to the change of use only, indicative plans of the proposal were requested in order that some assessment of the impact on the Conservation Area and setting of the Listed Building could be considered. The Conservation Officer has raised issues in relation to external works that could give rise to concern. Separate Planning Permission and Listed Building Consents would be required and an informative note and condition is suggested to bring this to the attention of the applicant. Negotiations and discussions with the DAC and Council's Conservation Officer are ongoing. In principle however no objection has been raised by the Conservation Officer and as such the proposed change of use conforms with Policies HBA4 and HBA6 of the UDP (2007).

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 - A11 (Change of use only details required of any alterations)

Reason: To define the terms under which permission for change of use is granted.

- 3 - E10 (Use restricted to that specified in application)

Reason: To suspend the provisions of the Town and Country Planning (Use Classes) Order currently in force, in order to safeguard the amenity of local residents, highway safety and the setting of the listed buildings.

INFORMATIVES:-

- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC

- 2 - Non Standard

- 3 - N19 - Avoidance of doubt

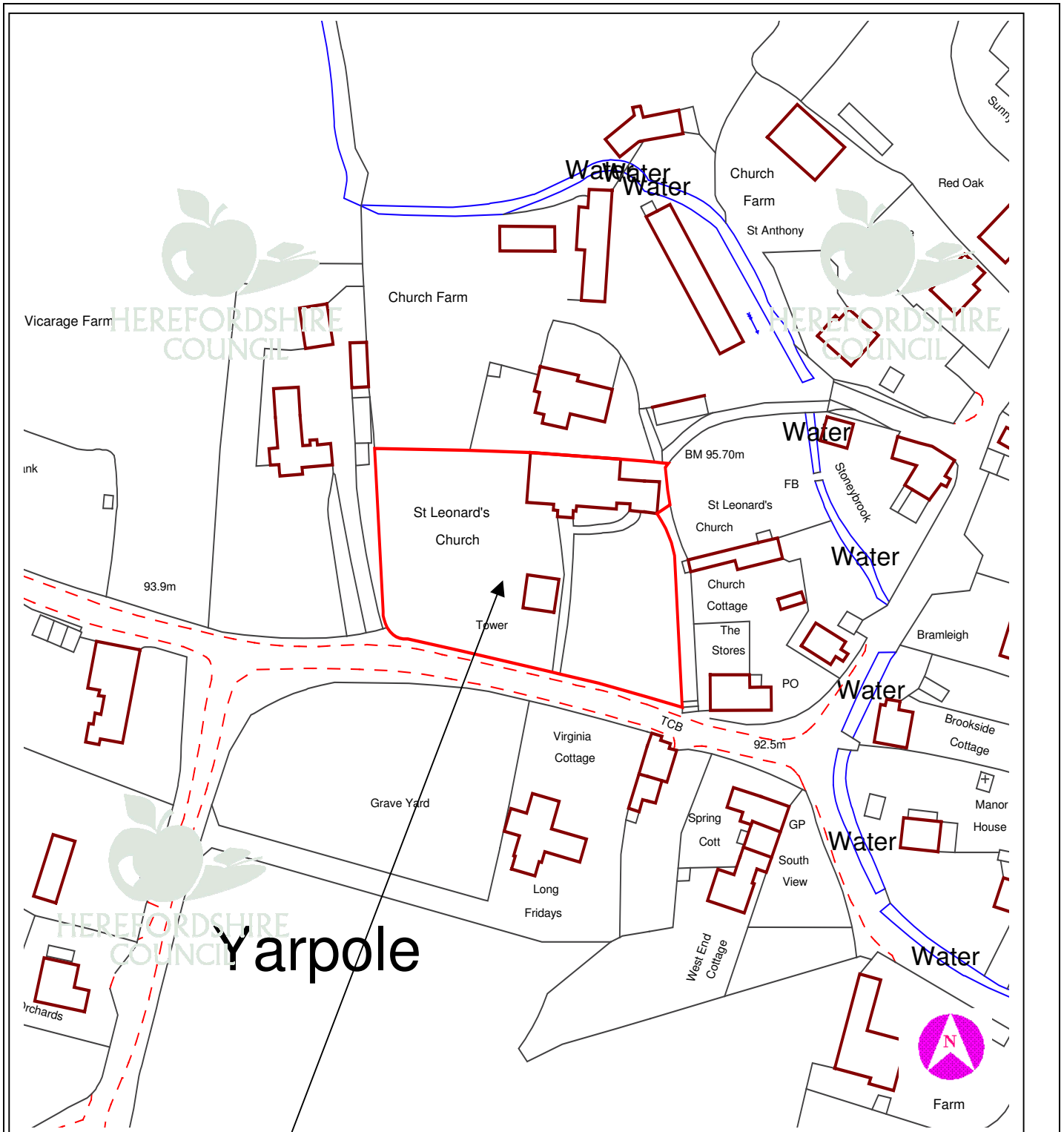
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCNW2007/2155/F

SCALE : 1 : 1250

SITE ADDRESS : St Leonard's Church, Green Lane, Yarpole, Herefordshire

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