

**14 DCNC2007/3639/F - PROPOSED CONVERSION TO 3
BED DWELLING, LINLEY GREEN CHAPEL, LINLEY
GREEN, NR BROMYARD, HEREFORDSHIRE.****For: Mr B. Lord, T J Preece & Associates, 4 Lion
Street, Kidderminster, Worcs DY10 1PT****Date Received:**
21st November 2007
Expiry Date:
16th January 2008**Ward: Bringsty****Grid Ref:**
69163, 53265

Local Member: Councillor T. W. Hunt

1. Site Description and Proposal

- 1.1 This site is located in the countryside in an area known as Linley Green and flanks the southern side of the C1137 Class III road approximately half a mile to the east from its junction with the B4220. The site constitutes an existing small chapel which has been disused for a while. The building has red brick walls with a clay tile roof. There is a one metre high brick wall on the road frontage with a pedestrian access onto the road. There is also an existing brick wall around the other three sides of the chapel boundary. The chapel is located between two existing dwellings. The garden of the dwelling to the east extends around the southern boundary of the chapel. The western section of the site extends into the neighbours garden on that side, which it is understood has recently been purchased by the applicant. There is an existing hedgerow on the roadside boundary on this part of the site.
- 1.2 The proposal is to convert the chapel into a single dwelling. A new floor will be added internally to form a new first floor level. Externally roof lights will be added to the front and rear of the building and on the roof of the small lean-to at the rear. The existing door and window of the lean-to will be replaced by a patio window/door. A new vehicular access and parking/turning area will be created at the western end of the site.

2. Policies**2.1 Planning Policy Statements/Guidance:-**

PPS1 - Delivering Sustainable Development
PPS7 - Sustainable Development in Rural Areas
PPS9 - Biodiversity and Geological Conservation
PPG15 - Planning and the Historic Environment

2.2 Herefordshire Unitary Development Plan

Policy S2 - Development Requirements
“ DR1 - Design
“ DR3 - Movement
“ H7 - Housing in the Countryside Outside Settlements

- “ HBA12 - Re-use of Rural Buildings
- “ HBA13 - Re-use of Rural Buildings for residential purposes
- “ CF2 - Foul Drainage
- “ CF6 - Retention of Existing Facilities
- “ NC1 - Biodiversity and development
- “ NC5 European and nationally protected species
- “ NC6 - Biodiversity Action Plan priority habitats and species
- “ NC7 - Compensation for loss of biodiversity
- “ NC8 - Habitat creation, restoration and enhancement
- “ NC9 - Management of features of the landscape important for fauna and flora

3. Planning History

- 3.1 DCNC2007/1484/F - Conversion of chapel to 3 bed accommodation - Withdrawn 10-07-07
- 3.2 DCNC2007/2525/F - Conversion of chapel to 3 bed accommodation - Re-submission of application DCNC2007/1484/F - Refused 01/10/07.

4. Consultation Summary

Statutory Consultations

- 4.1. None required

Internal Council Advice

- 4.2. The Council's Chief Conservation Officer recommends that permission be approved subject to conditions relating to the rooflights and windows and the parking area surface. Due to the presence of bats it is also recommended that conditions be imposed requiring compliance with the recommendations set out in the ecological report which accompanied this application.
- 4.3 The Council's Transportation Manager recommends that any permission includes certain conditions relating to the proposed new vehicular access/parking arrangements.

5. Representations

- 5.1 The applicants' agent states:

The proposals are for internal modifications to include a new first floor and rooflights to provide light to first floor rooms.

Additional land purchased on side of property to provide car parking and turning on site. Low speed of traffic volumes on highway.

Boundary wall is to be modified and retained using the materials from the existing wall and reclaim to match

The Premises was put on market in July 2005 but no firm interest has been shown in the premises so far.

5.2 The Parish Council has no objection

5.3 Three letters of objection have been received from:-

Mr. and Mrs. D. Allen, Fairview, Linley Green, Whitbourne, Worcester WR6 5RG
J. Matthews, The Hollies, Whitbourne, Herefordshire
Mrs. D. Dixon, No. 6 Guildway, Bromyard, Herefordshire

The main points being:

- Very busy road. Visibility and surface water drainage along road should be improved before any permission is granted. In wet and frosty weather the road becomes a sheet of ice. The road is far too dangerous to have a new property access.
- This is not a road with low speed of traffic volumes
- Still have major concerns about the proposed bio-disc drainage arrangements. The soil is clay based and the bio-disc will be on land that is higher than objectors property and the excess water will drain to lower land. Further details of the arrangements for outfall together with percolation/porosity tests would seem to be essential. Any treated effluent would end up on objectors land.
- The proposed roof lights will look directly over objectors property giving no privacy whatsoever.
- No need for roof lights to serve bathrooms as these could be artificially lit and mechanically ventilated.
- No need for roof light on side of gallery which already has a vertical window and a roof light in the northern side. If there has to be rooflight to smallest bedroom then this needs to be positioned above eyeline and obscure glazed.

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. Officers Appraisal

6.1 The main issues relate to:-

- (i) The principle and suitability of converting the chapel.
- (ii) Does the conversion scheme retain character of original building.
- (iii) Affect of new dwelling on residential amenities of neighbouring dwellings
- (iv) Vehicle access and parking arrangements.
- (v) Foul drainage
- (vi) Ecological matters

6.2 The chapel has not been used for some time and has become redundant. It is understood that local people use another chapel in the general area instead. The

building itself has sufficient architectural/historic merit to warrant its retention and conversion. The conversion scheme itself is also considered to be acceptable. The external appearance of the building will be largely unaltered and it is considered that the conversion scheme itself successfully retains the character and appearance of the original chapel. As such, the proposed development will comply with the relevant policies/guidance relating to conversion of rural buildings.

- 6.3 It is considered that the proposed use of the building as a dwelling will not adversely affect the residential amenities of the occupants of the adjacent dwellings. The occupants of the dwelling to the east have objected to the proposed new rooflights on the rear of the building. However, the rooflights will not look into the neighbours windows. In addition, the objectors have a large garden and the section adjacent to the rear of the chapel contains outbuildings/garage which are used for storage purposes. Consequently, it is not considered that there will be any overlooking which will result in any adverse loss of privacy.
- 6.4. The proposed new vehicular access and parking arrangements are considered to be acceptable. The visibility is considered acceptable and there is ample room provided for parking and turning within the site.
- 6.5. A Klargester Bio-disc sewage treatment plant is to be sited within the south-western corner of the site with drainage on its northern side, which is directed away from the objectors land and is an improvement on the original scheme submitted in the original application ref. no. DCNC2007/1484/F.
- 6.6 There is significant bat activity at the building. However, it is considered the conversion of the building to a dwelling is acceptable, provided the recommendations set out in the submitted ecological report are carried out.
- 6.7 The proposed development is, therefore, considered to be acceptable and in accordance with planning policies and guidance, in particular Policies S2, DR1, DR3 and HBA12 of the Herefordshire Unitary Development Plan. The previous application on the site for an identical proposal ref no. DCNC2007/2525/F was refused solely for ecological reasons. These matters have now been resolved and an acceptable ecological survey submitted.

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 new rooflights should be of "conservation type" i.e. flush with the roof slopes and have slender framed metal lights with a glazing bar unless otherwise first agreed in writing by the local planning authority.**

Reason: In the interests of conserving the visual appearance and character of the building.

- 3 - The stained glass windows shall be retained, unless otherwise first agreed in writing by the local planning authority.**

Reason: In the interests of conserving the visual appearance and character of the building.

4 - E16 (Removal of permitted development rights)

Reason: To ensure that the character and appearance of the original conversion scheme is maintained.

5 - E18 (No new windows in specified elevation)

Reason: In order to protect the residential amenity of adjacent properties.

6 - The recommendations set out in the ecological report by Landscape Science Consultancy Ltd, dated October 2007, shall be followed in full, unless otherwise first agreed in writing by the local planning authority. Prior to development, a full working method statement, to include bat roost enhancement measures, shall be submitted to the local planning authority for prior written approval and implemented as approved. An appropriately qualified and experienced ecological Clerk of Works shall be appointed (or consultant engaged in that capacity) to oversee the ecological mitigation work.

Reason: To ensure all species of bat and their roosts are protected and to conserve/enhance potential habitat and maintain the foraging area for protected species, in accordance with the Wildlife and Countryside Act 1981 and Conservation (Natural Habitats and Conservation) Regulations 1994 (as amended).

7 - G01 (Details of boundary treatments)

Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.

8 - H01 (Single access - not footway)

Reason: In the interests of highway safety.

9 - H04 (Visibility over frontage)

Reason: In the interests of highway safety.

10 - H05 (Access gates)

Reason: In the interests of highway safety.

11 - H13 (Access, turning area and parking)

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

12 - Before the new dwelling is first brought into use, details of the top surface of the new access, parking and turning area shall first be submitted to and be subject to the prior written approval of the local planning authority.

Reason: In the interests of highway safety and visual amenity.

13 - Unless otherwise first agreed in writing by the local planning authority, the existing wall along the road frontage shall be retained in full, except for the section shown to be altered on the approval drawings, which shall match in materials and height the existing wall.

Reason: In the interests of visual amenity.

Informatives:

- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC
- 2 - N03 - Adjoining property rights
- 3 - The applicant should be aware that the planning permission does not override any civil/legal rights enjoyed by adjacent property owners. If in doubt, the applicant is advised to seek legal advice on the matter.
- 4 - HN01 - Mud on highway
- 5 - HN04 - Private apparatus within highway
- 6 - HN05 - Works within the highway
- 7 - HN10 - No drainage to discharge to highway
- 8 - N19 - Avoidance of doubt

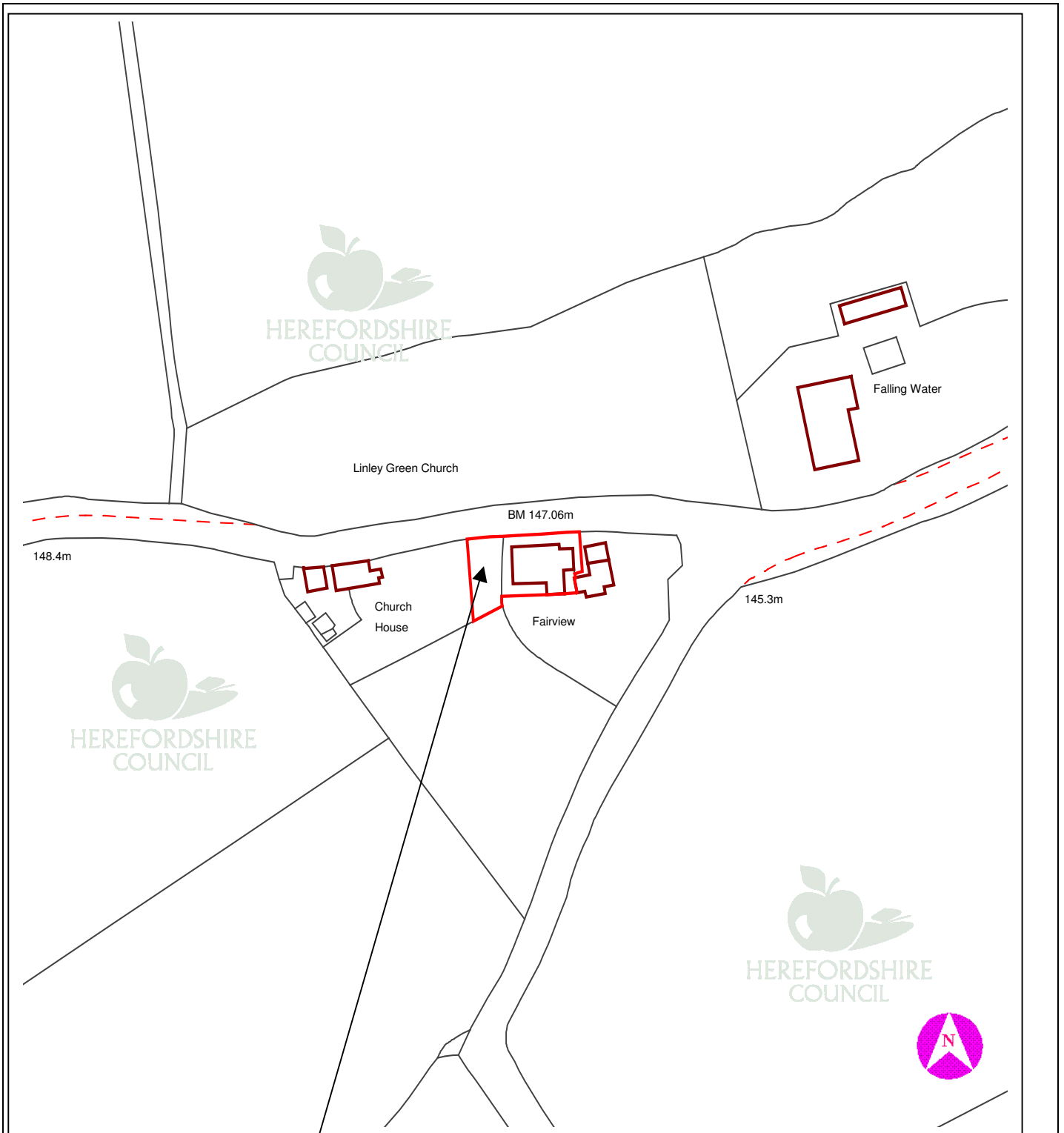
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



This copy has been produced specifically for Planning purposes. No further copies may be made.

APPLICATION NO: DCNC2007/3639/F

SCALE : 1 : 1250

SITE ADDRESS : Linley Green Chapel, Linley Green, Nr Bromyard, Herefordshire.

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005