

10A DCNW2008/1741/F - PROPOSED CONVERSION INTO NINE APARTMENTS, INCLUDING NEW STAIR TOWER AT OLD WESLEYAN CHAPEL, HARPYARD, HIGH STREET, KINGTON, HEREFORDSHIRE, HR5 3BJ.

10B DCNW2008/1742/L - PROPOSED CONVERSION INTO NINE APARTMENTS, INCLUDING NEW STAIR TOWER AT OLD WESLEYAN CHAPEL, HARPYARD, HIGH STREET, KINGTON, HEREFORDSHIRE, HR5 3BJ.

For: JR Homes Ltd

Date Received: 1 July 2008

Ward: Kington Town

Grid Ref: 29653, 56577

Expiry Date: 26 August 2008

Local Member: Councillor TM James

1. Site Description and Proposal

- 1.1 The site is located adjacent to 'Harp Yard' to the rear of High Street, from which vehicular access is obtained.
- 1.2 The building is a former 'Wesleyan Chapel', which has not been used as a place of worship for a considerable period of time (refer to Historic Listing of building, attached to the end of this report indicating a disused chapel in 1976). Grade II listed and a building of dominant scale, it is of external stone construction under a slate roof.
- 1.3 The site is surrounded by other residential/retail units within the vicinity and adjacent to its south eastern boundary is a small parcel of land, also in the control of the applicants, on which they propose to construct a terrace of 4 small dwellings. (Application yet to be formally submitted for planning consideration). Immediately adjacent to the western elevation of the application site is a footpath connecting the town centre to a carpark/supermarket.
- 1.4 The application proposes conversion over three floors of the existing building into 9 separate, 1 bedroomed apartments, three of which are proposed to be allocated for affordable housing in-line with the council's Strategic Housing advice, as set out in the Draft Heads of Term's attached to this report. The application also proposes construction of an access stairs tower onto the east elevation of the building, from this; internal access will be directly obtained to all three floors of the building, each containing 3 apartments each.

2. Policies

2.1 National Planning Policy Guidance.

- Planning Policy Guidance 15 - Planning and the historic environment
- Planning Policy Statement 3 - Housing

- Planning Policy Statement 1 - Sustainable development

2.2 Regional Spatial Strategy.

- Policy RR3 - Market Towns
- Policy CF4 - The re-use of land and buildings for housing
- Policy C5 - Delivering affordable housing and mixed communities

2.3 Herefordshire Unitary Development Plan

S1	-	Sustainable development
S2	-	Development requirements
S3	-	Housing
S7	-	Natural and historic heritage
DR1	-	Design
DR2	-	Land use and activity
DR3	-	Movement
DR4	-	Environment
DR5	-	Planning obligations
H1	-	Hereford and the market town hours: Settlement boundaries and established residential areas
H9	-	Affordable housing
H13	-	Sustainable residential design
H14	-	Re-using previously developed land and buildings
H15	-	Density
H16	-	Car parking
TCR6	-	Non-retail uses (Classes A2-A5)
T11	-	Parking provision
NC1	-	Biodiversity and development
HBA1	-	Alternations and extensions to listed buildings
HBA3	-	Change of use of listed buildings
HBA4	-	Setting of listed buildings
HBA6	-	New development within conservation areas
CF2	-	Foul drainage

2.4 Herefordshire Supplementary Planning Guidance

- Planning obligations
- Design and development requirements
- Provision of affordable housing

3. Planning History

- 3.1 NW0012653/F - Conversion of redundant building and extension for lift and stairs to provide Youth Hostel - withdrawn 12th November 2000.
- 3.2 NW0012654/L - Conversion of redundant building and extension to provide lift and stairs to provide Youth Hostel - withdrawn 12th November 2000.

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water raises no objections subject to inclusion to any approval notice subsequently issued conditions with regards to foul and surface water drainage.

Internal Council Advice

- 4.2 The Transportation Manager raises no objections subject to inclusion of a condition with regards to cycle storage provision, to any approval notice subsequently issued.
- 4.3 The Public Rights of Way Manager raises no objections.
- 4.4 The Planning Ecologist raises no objections subject to inclusion of a condition, with regards to nature conservation, to any approval notice subsequently issued.
- 4.5 The Conservation Manager recommends approval to the proposed development commenting *'the proposed scheme preserves and enhances the exterior of the building. Its principle impact is on the interior, which is now without any interest.'*
- 4.6 The Strategic Housing Manager supports the application stating *'the proposed 3 units of affordable housing is in-line with Herefordshire Supplementary Planning Guidance in relationship to affordable housing. Three separate 1 bedrooomed units being considered acceptable to the Council's Strategic Housing team.'*

5. Representations

- 5.1 Kington Town Council have responded to the application commending the fact that there is a proposed application to re-develop the Wesleyan Chapel site as they consider the building is of significant interest being a Grade II Listed building. However, they raise the following concerns:

- Plans supplied in support of the application appear to contain insufficient detail.
- Developer has failed to give an overview to the development of the site as a whole. Lack of detail of external construction materials for the proposed stair tower.
- No consideration to disability access or inhabitation and lack of amenity land.
- Assurances required with regards to protection of the boundary wall to the application site.
- Concerns with regards to intrusion on existing residents of Harp Yard and on the Old Printing Works.

- 5.2 Letters of objections have been received from the following:

- Mr Dean Benbow, Warren Benbow Architects, Kington
- Mr P. J. Jennings, Stream Cottage, Staunton-on-Arrow, Leominster
- Mrs R.J. Bradbury, Rose Cottage, Bradnor Green, Kington
- Francis Dunne, The Barn, Harp Yard, Kington
- Mr & Mrs R. Hills, 2 Harp Yard, Kington
- Dr. C. F Forde, 4 Harp Yard, Kington
- Mr D. Clarke, The Laburnums, 32a High Street, Kington
- Mr T. Bounds, (via email)

The issues of concern raised in the letters of objections can be summarised as follows:

- Concerns about quality of plans submitted for planning consideration, in that no cross sections through the building, in relationship to floor levels form part of the application.
- No indication is given with regards to proposal for adjoining land, also in the control of the applicant, with no mention of amenity space provision.
- Location of the proposed stair tower indicates maximum impact on the Harp Yard and in particular the building itself.
- Detrimental impact on surrounding resident's amenity and privacy.
- Is there need for nine more 1 bedroomed flats in Kington?
- Impact on amenity or residents of the proposed flats themselves.
- Insufficient car parking provision and vehicular access to the site.
- Insufficient information with regards to external door and window detail.
- Insufficient planning objection contributions in accordance with Herefordshire Supplementary Planning Guidance on this issue.
- Lack of detail submitted with the application with regards to existing internal historic detail.
- Concerns about standard of proposed development in relationship to sound proofing, window detail and double-glazing.

5.3 A further letter and plan in response to concerns raised in relationship to the proposed development has been received from the developer stating:

- Provision is provided for refuse and bicycle storage for occupants of the proposed development.
- The proposed access stairs is as a result of consultation with the Area Conservation Officer, and the proposed external materials for this will be natural stone and glazing to compliment the chapel.
- Disabled access to the building will be provided and will comply with Part M of the Building Regulations.
- Internally there is nothing of historic importance as agreed by the Council's Conservation Team.
- Car parking provision is in accordance with Herefordshire Council's Highway Design Guide, in that parking can be significantly lower on town centre locations, development for single people and conversions of non-residential buildings, all of which, the proposal falls under.
- The land adjacent to the site, also in the ownership of the applicant will be subject to a separate application, for four units in a terraced design, with two car parking spaces, provided for each unit.
- Presently access to Harp Yard is very narrow and with poor visibility. The proposed development also utilises the existing entrance to the site off the adjacent lane, off High Street, as the entrance for residents of the proposed development, and therefore congestion in Harp Yard will probably be improved.

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 The key issues of concern in relationship to this application are;

- Impact of proposed development on historic fabric of existing building.
- Impact on amenity and privacy of surrounding residents.
- Insufficient car parking on site and poor vehicular access to the site.
- Planning objections in consideration of Council's Supplementary Planning Guidance on planning obligations.

- Impact of proposed development on the existing building.
- Disabled access and provision.

Impact of proposed development on historic fabric of existing building.

- 6.2 The application proposes conversion of the building into 9 separate 1 bedroomed units over three floor levels. The Council's Conservation Manager has responded to the application with no objections stating. *'The scheme preserves and enhance the exterior of the building. Its principal impact is on the interior, which is now without any interest, except for a ceiling rose, which should be preserved.'*
- 6.3 A letter of objection received from a member of the public specifically raised concerns about the internal historic interest of the building. However this letter of objection includes reference to internal fittings and finishes no longer in situation, having been removed a considerable time ago, long before purchase of the site by the present owners, who are the applicants. The previous owners being the Council, who were forced into compulsory purchase of the building from the then previous owner due to concerns about the building's derelict state of repair being a listed building. (See annexe 1 for copy of buildings historic listing).
- 6.4 Therefore it is considered the proposed development has no detrimental impact on the internal fabric of any historic importance, retaining the external appearance of the building, as well as surrounding boundary walls, which also contribute to the overall visual importance of the site. With regards to external construction and repair, it is recommended that, if members are mindful to approve the application, that conditions be attached to the approval notice requesting detailed information with regards to external joinery, wall construction and repair, guttering and mortar mix, stair tower construction and details with rights to preservation of the internal ceiling rose.

Impact on amenity and privacy of surrounding residents.

- 6.5 The application is for conversion of an existing building into 9 separate 1 bedroomed apartments mainly using existing window openings in the building. The application proposed two new window openings to match existing windows into the eastern elevation on which it is proposed to construct a stair tower of external stone and glazing construction, the eastern gable of this stair tower, being all of stone construction.
- 6.6 It is considered that the proposed development will have no sufficient detrimental impact on the amenity and privacy of surrounding dwellings, by means of the proposed conversion of the building. The nearest dwelling to the eastern elevation was the former printing works, for which planning approval was granted for a two bedroomed cottage. This building prior to commencement of works, subject to the planning approval, has subsequently been demolished and therefore the planning permission cannot be implemented. Therefore the proposal subject to this application, is of no significant detrimental impact to the site, or the former printing works.
- 6.7 It is considered the proposed development allows for sufficient storage space and amenity space for residents of the 1 bedroomed units, given the scale of the historic and architectural context of the immediate surrounding area, to the application site and the building itself.

Car parking on site and vehicular access to the site.

- 6.8 The site is located within the town's central shopping and commercial area and entails conversion into residential accommodation of an existing building.
- 6.9 Central Government Policy encourages the shared use of parking facilities in such areas, particularly where peak levels of different uses do not coincide, such as residential and retail.
- 6.10 The applicant in-line with Central Government advise and Herefordshire Council's Highways design guide on car parking has demonstrated sufficient car parking facilities within close proximity to the application site, as such officers are of the opinion that a recommendation for refusal on this issue would not be upheld in the event of an appeal, given the town centre location of the site. Furthermore any development of the adjacent site by the applicants will entail new build with parking provision on site for the new development.

Planning obligations in consideration of Council's Supplementary Planning Guidance.

- 6.11 Paragraph 3 of the Summary of the Council's Supplementary Planning document on planning obligations states that residential units arising through the conversion of existing buildings within the central shopping and commercial area of market towns are excluded from the payment of developer contributions.
- 6.12 The application is accompanied by a Draft Heads of Terms, (attached to this report) indicating the applicant's willingness to the provision of 35% of the total amount of residential units on site as affordable housing. This is in accordance with the Strategic Housing Manager's request and relevant local plan policy on affordable housing. Strategic Housing raising no objections to the provision of 1 bedroomed apartments.

Impact of the proposed development on the existing building.

- 6.13 The proposal is considered acceptable to the Council's Conservation Manager. The proposed development requiring minimal alterations to the existing building's external character, which will be largely retained, with the inclusion of an access stairs tower onto the eastern elevation of the building, and is of a scale and design considered acceptable in relationship to the existing building on site. As previously mentioned the historic importance of the interior of the building has already been lost except for a ceiling rose, that is recommended to be retained.
- 6.14 Conversion of the building will have to comply with current Building Regulations, which will cover issues such as sound proofing, window details and insulation etc, issues as raised by members of the public. Furthermore as discussed previously, it is recommended that appropriate conditions are attached to any approval notice subsequently issued with regard to external construction materials.

Disabled access and provision.

- 6.15 The applicants have proposed access to the site in accordance with Herefordshire Council's Highways specification. The proposed access stairs tower also provides for disabled access to the apartments, in consideration of Part M of Building Regulations.

Land adjacent to the application site.

- 6.16 The site adjacent to the application site (also in the applicants control), does not form part of this application. However in response to concerns raised by both the Town Council and members of the public, the applicants in additional information, have indicated a proposal for a terrace, containing 4 separate residential units. This proposal will be subject to a separate application, should plans for the proposed development be submitted to the council for formal planning consideration.

RECOMMENDATION

In respect of DCNW2008/1741/F:

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 hereby permitted shall not commence until a planning obligation pursuant to Section 106 of the Town and Country Planning Act 1990 has been certified as completed by the local planning authority. The said Agreement will provide for affordable housing in accordance with the Heads of Terms approved at Northern Area Planning Sub Committee on 24th September 2008, as follows; -

a) 3 x 1 bedroom units at a value of no more than £79,000 per unit.

Reason: In order to provide affordable housing in accordance with Policy DR5 of the Herefordshire Unitary Development Plan 2007.

3 C01 (Samples of external materials)

Reason: To ensure that the materials harmonise with the surroundings so as to ensure that the development complies with the requirements of Policy DR1 of Herefordshire Unitary Development Plan

4 D04 (Details of window sections, eaves, verges and barge boards)

Reason: To ensure that the work is carried out in accordance with the details that are appropriate to the safeguarding of the special architectural or historical interest of the building and to comply with the requirements of Policy HBA1 [and HBA3] of Herefordshire Unitary Development Plan

5 D05 (Details of external joinery finishes)

Reason: To ensure that the work is finished with materials, textures and colours that are appropriate to the safeguarding of the special architectural or historical interest of the building and to comply with the requirements of Policy HBA1 [and HBA3] of Herefordshire Unitary Development Plan.

6 D08 (Repairs to external brickwork)

Reason: To ensure that the work is finished with materials, textures and colours that are appropriate to the safeguarding of the special architectural or historical interest of the building and to comply with the requirements of Policy HBA1 [and HBA3] of Herefordshire Unitary Development Plan.

7 D10 (Specification of guttering and downpipes)

Reason: To ensure that the rainwater goods are of an appropriate form in the interests of the safeguarding of the special architectural or historical interest of the building and to comply with the requirements of Policy HBA1 [and HBA3] of Herefordshire Unitary Development Plan.

8 D11 (Repairs to match existing)

Reason: To ensure that all of the works arising from the approved scheme are of an appropriate form in the interest of the building (as one which is in a conservation area, or of local interest) and to comply with the requirements of Policy HBA12 and HBA13 of Herefordshire Unitary Development Plan.

9 Prior to any development on site, a scheme for the repair of the boundary walls to the application site shall be submitted and approved in writing by the Local Planning Authority.

Reason: In order to ensure the character of the site is retained in consideration of its historic importance and to comply with Policy HBA4 of the Herefordshire Unitary Development Plan.

10 Prior to any development on site, a scheme for the internal works, including proposal for retention and preservation of the ceiling rose, working drawings for the interior of the stair tower, intentions with regards to roof timbers and proposed bins and bike sheds shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to safeguard the historic character of the building and to comply with policies HBA4 and HBA6 of the Herefordshire Unitary Development Plan.

11 H29 (Secure covered cycle parking provision)

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan

12 I16 (Restriction of hours during construction)

Reason: To protect the amenity of local residents and to comply with Policy DR13 of Herefordshire Unitary Development Plan.

13 I32 (Details of floodlighting/external lighting)

Reason: To safeguard local amenities and to comply with Policy DR14 of Herefordshire Unitary Development Plan.

14 K4 (Nature Conservation - Implementation)

Reason: To ensure that all species are protected having regard o the Wildlife and Countryside Act 1981 (as amended), the Conservation(Natural Habitats, &c) Regulations 1994 (as amended) and Policies NC1, NC5, NC6 and NC7 of Herefordshire Unitary Development Plan.

15 L01 (Foul/surface water drainage)

Reason: To protect the integrity of the public sewerage system and to comply with Policy CF2 of Herefordshire Unitary Development Plan.

16 L02 (No surface water to connect to public system)

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment so as to comply with Policy CF2 of Herefordshire Unitary Development Plan.

17 L03 (No drainage run-off to public system)

Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment so as to comply with Policy CF2 of Herefordshire Unitary Development Plan.

18 G10 (Landscaping scheme)

Reason: In order to maintain the visual amenities of the area and to conform with Policy LA6 of Herefordshire Unitary Development Plan.

INFORMATIVES:

- 1 N15 - Reason(s) for the Grant of Planning Permission
- 2 N19 - Avoidance of doubt - Approved Plans
- 3 N02 - Section 106 Obligation
- 4 HN28 - Highways Design Guide and Specification

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

RECOMMENDATION

In respect of DCNW2008/1742/L:

That planning permission be granted subject to the following conditions:

1 D01 (Time limit for commencement (Listed Building Consent))

Reason: Required to be imposed by Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2 C01 (Samples of external materials)

Reason: To ensure that the materials harmonise with the surroundings so as to ensure that the development complies with the requirements of Policy DR1 of Herefordshire Unitary Development Plan

3 D04 (Details of window sections, eaves, verges and barge boards)

Reason: To ensure that the work is carried out in accordance with the details that are appropriate to the safeguarding of the special architectural or historical interest of the building and to comply with the requirements of Policy HBA1 [and HBA3] of Herefordshire Unitary Development Plan

4 D05 (Details of external joinery finishes)

Reason: To ensure that the work is finished with materials, textures and colours that are appropriate to the safeguarding of the special architectural or historical interest of the building and to comply with the requirements of Policy HBA1 [and HBA3] of Herefordshire Unitary Development Plan.

5 D08 (Repairs to external brickwork)

Reason: To ensure that the work is finished with materials, textures and colours that are appropriate to the safeguarding of the special architectural or historical interest of the building and to comply with the requirements of Policy HBA1 [and HBA3] of Herefordshire Unitary Development Plan.

6 D10 (Specification of guttering and downpipes)

Reason: To ensure that the rainwater goods are of an appropriate form in the interests of the safeguarding of the special architectural or historical interest of the building and to comply with the requirements of Policy HBA1 [and HBA3] of Herefordshire Unitary Development Plan.

7 D11 (Repairs to match existing)

Reason: To ensure that all of the works arising from the approved scheme are of an appropriate form in the interest of the building (as one which is in a conservation area, or of local interest) and to comply with the requirements of Policy HBA12 and HBA13 of Herefordshire Unitary Development Plan.

- 8 Prior to any development on site, a scheme for the repair of the boundary walls to the application site shall be submitted and approved in writing by the Local Planning Authority.

Reason: In order to ensure the character of the site is retained in consideration of its historic importance and to comply with Policy HBA4 of the Herefordshire Unitary Development Plan.

- 9 Prior to any development on site, a scheme for the internal works, including proposal for retention and preservation of the ceiling rose, working drawings for the interior of the stair tower, intentions with regards to roof timbers and proposed bins and bike sheds shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to safeguard the historic character of the building and to comply with policies HBA4 and HBA6 of the Herefordshire Unitary Development Plan.

INFORMATIVES:

- 1 N15 - Reason(s) for the Grant of Planning Permission
- 2 N19 - Avoidance of doubt - Approved Plans
- 3 N02 - Section 106 Obligation
- 4 HN28 - Highways Design Guide and Specification

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

COPY OF HISTORIC LISTING

S02956 643-1/1/88 26/07/76	Kington	Harp Yard Former Old Wesleyan Chapel
GV		II

Chapel, now disused, Early C19. Stone rubble; hipped corrugated iron roof, small brick stack. 2 Storeys and basement; 3-window range: fixed lights with arched heads and some old glass, under ashlar semi-circular arches. Entrance to centre left: 6 field panel double doors, under dressed stone flat arch; flanked by blocked lights under semi-circular arches. 2 Blocked basement windows under flat arches. Left returned side: two C20 round headed 10/12 sashes under semi-circular arches to 1st floor. Right returned side: three C20 sashes; blocked doorway in central advanced bay, flanked by similar sashes, ashlar semi-circular arches.

DRAFT HEADS OF TERMS

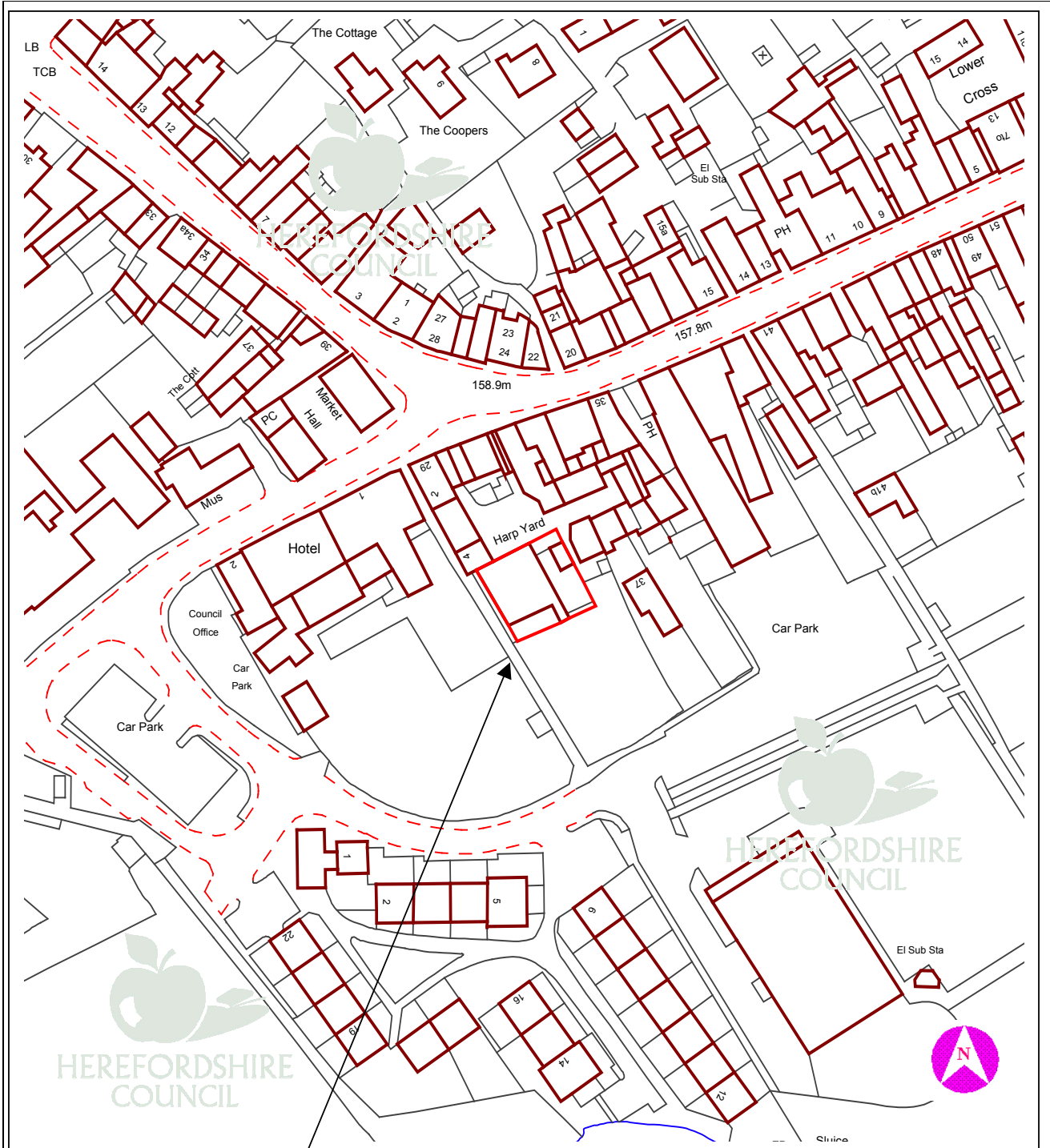
Proposed Planning Obligation Agreement
Section 106 Town and Country Planning Act 1990

Planning Application – NW08/1741/F.

Proposed conversion into nine apartments, including new stair tower at Old Wesleyan Chapel, Harp Yard, Kington, Herefordshire, HR5 3BJ.

1. The developer or successor in title shall provide 3 affordable housing units, which meet the criteria as set out in Policy H9 and section 5.5 of the Herefordshire Unitary Development Plan. (Or any statutory replacement of those criteria and that policy). The affordable housing units will comprise of 3 x 1 bedroomed units for low cost market housing sold at the value in the Herefordshire Council Supplementary Planning Guidance technical data 2008 – 2009 at a value of no more than £79,000 per unit. The dwellings shall be in accordance with the current Housing Corporation Scheme Development Standards and Lifetime Home Standards, with no Affordable Housing grant input. None of the Affordable Housing shall be occupied unless the Herefordshire Council has given its written agreement to the means of securing the status and use of these units as Affordable Housing. All the affordable housing units shall be completed and made available for occupation prior to the occupation of more than 50% of the other residential units of the development. The affordable units will be allocated by 'Homepoint' letting agency, to person's in accordance with policy criteria on affordable housing in the Herefordshire Unitary Development Plan or any subsequent replacement or Supplementary Planning Guidance on affordable housing within Kington in the first instance cascading out to all adjoining parishes to Kington, if an applicant from Kington cannot be found.
2. The developer shall pay to the Council on or before the completion of the Agreement, the reasonable legal costs incurred by Herefordshire Council in connection with the preparation and completion of the Agreement.
3. The developer shall complete the Agreement by (a date to be agreed) otherwise the application will be registered as deemed refused.

P. Mullineux, 29 July 2008.



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APPLICATION NO: DCNW2008/1741/F and DCNW2008/1742/L

SCALE : 1 : 1250

SITE ADDRESS : Old Wesleyan Chapel, Harpyard, High Street, Kington, Herefordshire, HR5 3BJ

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