

**15 DCNW2004/2763/F - ALTERATIONS AND EXTENSIONS TO EXISTING BUILDING AT THE BURTON HOTEL, MILL STREET, KINGTON, HEREFORDSHIRE, HR5 3BQ****DCNW2004/2760/C - ALTERATIONS AND EXTENSIONS TO EXISTING BUILDINGS, INCLUDING DEMOLITION AT SAME****For: Mr. J. Richardson per Warren Benbow Architects,  
21 Mill Street, Kington, Herefordshire, HR5 3AL****Date Received: 26th July 2004****Ward: Kington Town Grid Ref: 29624, 56563****Expiry Date: 20th September 2004**

Local Member: Councillor T.M. James

**1. Site Description and Proposal**

- 1.1 The application site comprises the Burton Hotel with its associated enclosed parking area and gardens, which together occupy a prominent town centre location within the Kington Conservation Area. The hotel building represents an important local landmark, which although not listed for its architectural value, is a substantial predominately 3-storey brick, stone and rendered building fronting onto Mill Street, with its walled courtyard forming the northern boundary of the site. To the rear of the principal building is a 2-storey stone and timber framed building providing ancillary staff accommodation and a single storey extension providing a function room (NW2000/2615/F refers).
- 1.2 To the west of the hotel is the Tourist Information Office and Kington Town Council Office beyond which is the junction of Mill Street with Crabtree Road, which in turn skirts along the western and southern boundary of the hotel providing access to Marwick Close, the Co-op Supermarket and the public car park. The boundary here is defined by a high red brick wall with the main vehicular access being adjacent to the timber framed staff accommodation building.
- 1.3 To the east of the site is the Grade II Listed Wesleyan Chapel and its grounds which are separated by a public footpath defined by high stone walls. Immediately adjacent to the chapel and alongside the recently built function room extension is 4 Harp Yard, a dwelling with basement, ground and first floor windows facing south.
- 1.4 The associated garden area is partly maintained for residents use but it is otherwise rather unkempt in appearance with a number of predominately fruit trees growing close to the southern boundary.
- 1.5 Planning permission is sought for an extension on the rear elevation of the hotel, which would accommodate a swimming pool and hot tub area. The pool building would reflect the scale and character of the recent function room extension whilst the hot tub area would echo the form of the existing staff accommodation building which would provide changing facilities on the ground floor. The existing banqueting hall and

undercroft would be converted into a health suite and cafe and it is proposed that a new lift rotunda would replace an earlier extension on the north side of the building providing the link between the existing hotel and the new facility. The swimming pool and health suite facility would be available to hotel patrons and paying members of the public.

- 1.6 In addition to the works to the building itself 2 additional and separate wings of accommodation are proposed. Along the eastern edge of the site it is proposed to construct a 2-storey building providing 8 en-suite bedrooms and 2 holiday cottages/suites whilst along the southern boundary with Crabtree Road a curved 2-storey building is proposed providing a total of 6 holiday cottages offering accommodation for longer breaks.
- 1.7 These wings would enclose a central landscaped courtyard providing a total of 28 parking spaces. The materials proposed include a combination of render, natural slate, brick, powder coated aluminium and glazing, in a design which incorporates a mono pitched roof form pitching away from the site boundaries.
- 1.8 The planning application is accompanied by an application for Conservation Area Consent dealing with the demolition of the extensions at the front of the hotel. A detailed Design Statement and a framework for a Green Travel Plan have also been submitted for consideration.

## **2. Policies**

### Government Guidance

PPG15 – Planning and the Historic Environment

### Hereford and Worcester County Structure Plan

CTC9 - Development Requirements  
CTC11 – Trees and Woodlands  
CTC15 – Conservation Areas  
CTC18 – Development in Urban Areas  
TSM1 – Tourism Development  
TSM5 – Tourist Accommodation

### Leominster District Local Plan (Herefordshire)

A1 - Managing the Districts Assets and Resources  
A2(D) - Settlement Hierarchy  
A10 - Trees and Woodlands  
A12 - New Development and Landscape Features  
A18 - Listed Buildings and their Settings  
A21 - Development within Conservation Areas  
A24 - Scale and Character of Development  
A25 - Protection of Open Areas or Green Spaces  
A61 - Community, Social and Recreation Facilities  
A70 - Accommodating Traffic from Development  
A73 - Parking Standards and Conservation

### Herefordshire Unitary Development Plan (Revised Deposit Draft)

S1 – Sustainable Development  
S2 – Development Requirements  
S7 – Natural and Historic Heritage  
S8 – Recreation, Sport and Tourism  
S11 – Community Facilities and Services  
DR1 – Design  
DR2 – Land Use and Activity  
LA5 – Protection of Trees, Woodlands and Hedgerows  
LA6 – Landscaping Schemes  
HBA4 – Setting of Listed Buildings  
HBA6 – New Development within Conservation Areas  
HBA8 – Locally Important Buildings  
HBA9 – Protection of Open Areas and Green Spaces  
RST1 – Criteria for Recreation, Sport and Tourism Development  
RST12 – Visitor Accommodation

### **3. Planning History**

NW2000/2615/F - Single storey extension to provide function room - Approved 16 November 2000.

94/0746 - Erection of 12 two-bed self catering units and leisure pool complex - Approved 11 April 1995. (Not implemented).

### **4. Consultation Summary**

#### Statutory Consultations

4.1 None.

#### Internal Consultee Advice

- 4.2 Head of Engineering and Transportation raises no objection subject to standard conditions relating to position of gates and creation of splayed access.
- 4.3 Chief Conservation Officer comments that the proposal in general represent a good design and a very worthwhile project. Concern is expressed in relation to the external lift shaft on the Mill Street elevation, which obscures part of the existing architectural detailing and painted render would appear heavy and obtrusive.
- 4.4 Head of Environmental Health and Trading Standards raises no objection subject to the restrictions on demolition and construction on site and a condition precluding the burning of waste/materials on site.
- 4.5 Public Rights of Way Manager raises no objection.

### **5. Representations**

- 5.1 One letter of objection has been received from Dr. Fforde of 4 Harp Yard, Kington, expressing the following objections:
- proposed building will result in loss of light into my property
  - proposed building will block the view from my property

- balconies and windows will overlook my property resulting in a loss of privacy
- additional activity will increase noise levels (day and night).

- 5.2 One letter of support has been received from R. Alford of Pinecroft, Titley commenting that a swimming pool and fitness suite will benefit the whole of Kington and that extra accommodation will bring more people to the town.
- 5.3 Kington Town Council fully supports both application.
- 5.4 The full text of these letters can be inspected at Northern Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

## **6. Officers Appraisal**

- 6.1 The key issues for consideration in the determination of these applications are as follows:
- a) the principle of refurbishing and extending the hotel and the construction of the additional bedroom wings;
  - b) the impact of the proposed development on the character and appearance of the Kington Conservation Area and the setting of the Kington Conservation Area and the setting of the Grade II Wesleyan Chapel;
  - c) the impact of the proposed development upon the residential amenities of neighbouring occupiers and;
  - d) access and traffic related matters.

### Principle of the Proposed Development

- 6.2 The Burton Hotel site represents an important town centre location upon which a range of development opportunities could be entertained and this proposal which seeks to enhance the existing facilities whilst offering a range of dual uses accessible to the general public is one that has been supported in the past and remains so in respect of currently adopted policy.
- 6.3 The land in between the principal building and its boundary with Crabtree Road is at present underused and poorly maintained and aside from its value as an open space within a predominantly built up part of the town centre it is not considered to enhance or conserve the character and appearance of its historically sensitive setting.
- 6.4 In the terms of the broad principle therefore it is considered that the individual elements of this proposal combine to make it a very worthwhile mixed use development within a town centre location.

### Impact on Kington Conservation Area and Setting of Listed Buildings

- 6.5 In order to effectively assess the impact of the proposal on the historic environment in which the application site is located it is considered necessary to split the detailed appraisal into the implications of the physical extensions/works to the building and the impact of the detached bedroom wings.
- 6.6 The extensions to the hotel comprise the swimming pool, hot tub/changing room area at the rear and the external lift shaft visible in the corner of the parking forecourt at the front of the site.

- 6.7 The swimming pool extension reflects the design elements and materials utilised successfully in the execution of the approved function room extension (NW2000/2615/F refers) whilst the hot tub and changing room echoes the timber framed characteristics of the existing staff accommodation building. Both structures are of an appropriate scale enabling the continuing appreciation of the substantial hotel building and whilst both will project beyond the building line established by the function room extension, views across the open part of the site towards the listed Wesleyan Chapel will be retained. The existing chestnut tree which marks the main entrance to the site from Crabtree Road would also be retained in view of its important amenity value in the immediate locality.
- 6.8 The lift extension at the front to the site is the only element of this proposal which has generated concern from the Chief Conservation Officer and the treatment of this structure is considered very important since it could detract from the formality of the large sash windows facing Mill Street. The lift is a vital element of the proposal as a whole since it provides the link between the main hotel and the proposed health suite. Alternative approaches to the provision of the passenger lift have been discussed but it has not been possible to find a suitable solution and as such formal consideration in its current free standing rendered and glazed form is requested by the applicant who has also provided a perspective illustration of the lift and forecourt.
- 6.9 In this case the considerable benefits of the scheme in its entirety have been attached significant weight and whilst the views of the Chief Conservation Officer are acknowledged it is considered that the lift feature, which will contrast with the red brick and formality of the existing building, will not have such a detrimental effect upon the character and appearance of the Conservation Area or the building itself such that the refusal of planning permission would be warranted on these issues alone. A condition imposing strict control over the detailed means of constructing the rendered and glazed lift is recommended.
- 6.10 The refurbishment of the first floor Banqueting Hall and the undercroft and the creation of a health suite with associated reception/café is considered to be an extremely beneficial re-use of this important space and the interventions in the building whilst not actually requiring permission will certainly preserve the openness and impressive height of the hall.
- 6.11 Turning to the detached bedroom wings, again the siting allows a space between the existing function room and the proposed new bedroom preserving the important view of the Wesleyan Chapel across the site. In design terms these again would utilise materials such as render, natural slate and glazing in a contemporary two storey form following the line of the established stone and brick boundary walls. The holiday cottage wing would be set in from the boundary onto Crabtree Road enabling the retention of some of the more mature and important existing trees and further landscaping is proposed to reflect the existing character of the site and the grounds of Wesleyan Chapel.
- 6.12 The most modern form of these buildings would both contrast and respect the historic fabric of the main hotel building without dominating it in views from Crabtree Road and a large landscaped parking area/forecourt would be retained in the middle of the existing and new buildings preserving at least some of the sense of open space which characterises this existing undeveloped part of the site.

- 6.13 Overall it is considered that as proposed, the important characteristics of this part of the Kington Conservation Area will be preserved with the view across the site towards the Wesleyan Chapel satisfactorily retained.

#### Residential Amenity

- 6.14 With the exception of the concerns regarding the impact of the proposed lift shaft identified above, the impact of the building proposals upon the amenity of the property known as 4 Harp Yard represents the only other source of concern identified locally. The objection raises serious concerns with respect to the loss of sunlight/daylight, the loss of view from the affected property, a loss of privacy associated with the provision of extended balconies and windows on the new bedroom wing and additional noise associated with the new building.
- 6.15 Government guidance indicates that the loss of a view across private land is not a material planning consideration that can be afforded weight in the decision making process. However, the other concerns raised are valid grounds for objection and have been given careful consideration in reaching this recommendation.
- 6.16 The potential for the proposed bedroom wing to overshadow 4 Harp Yard (a 3 storey property with accommodation in the basement to the north and immediately behind the Wesleyan Chapel) has been appraised using appropriate and well established techniques which indicate that the distance of the new build element from the nearest affected property would be such that its shadow line would fall some 12 metres short of its south facing windows (measurements based on 'average' period i.e March). Its impact would in affect be less that that of the existing function room so far as overshadowing in concerned it is not therefore considered that the loss of sunlight or daylight could be substantiated as a reason for refusing the application.
- 6.17 The distance and relative orientation of the bedroom wing in relation to 4 Harp Yard is also such that there would be no harmful overlooking or loss of privacy. The applicant has agreed to the removal of the external balconies on the east elevation of the bedroom wing which further limits the effect of the proposal upon the neighbouring occupier.
- 6.18 Noise, other than the potential disturbance associated with on-site construction is not considered to be a serious issue in this town centre environment and as such it would only be considered reasonable to attach a condition constricting the hours during which construction work could be carried out. The extension of the number of hotel rooms is equivalent in use terms to residential development so far as noise is concerned and whilst more activity is inevitable it is not considered by the Head of Environmental Health and Trading Standards that there are grounds for objecting to the impact of additional noise in this context.
- 6.19 The Crabtree Road elevation has been designed to as to avoid overlooking and the physical containment of the parking areas and communal walkways is such that the wider impact of noise activity and illumination is minimised.

#### Access and Traffic

- 6.20 The application is accompanied by a framework for a Green Travel Plan which would form part of a condition attached to any approval and with the exception of some minor changes to the parking layout, the Head of Engineering and Transportation raises no objection to the proposals.

Conclusion

- 6.21 In conclusion significant support has been expressed towards these ambitious plans to enhance the facilities offered by the proprietor of the Burton Hotel which are aimed at securing the long term future of the business whilst offering public access to the proposed new health suite. The applications have been the subject of local objection however, most notably with respect to the potential impact of the development on neighbouring property. These concerns are acknowledged, particularly given the scale of development as a whole but having regard to the extent of this impact it is not considered that there are sufficient grounds upon which to substantiate the refusal of planning permission.
- 6.22 The design of the proposals is well considered and will generally enhance or preserve the character and appearance of the area and the hotel building itself.

**RECOMMENDATION**

**That planning permission be granted subject to the following conditions:**

**NW2004/2763/F**

- 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 A07 (Development in accordance with approved plans)**  
**Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.**
- 3 B01 (Samples of External Materials)**  
**Reason: To ensure that the materials harmonise with the surroundings.**
- 4 C02 (Approval of details) (the method of constructing the lift shaft and the treatment and exact position of glazed junction with the existing hotel building).**  
**Reason: To safeguard the character and appearance of this building of (special) architectural or historical interest.**
- 5 E18 (No new windows in specified elevation)(windows)**  
**Reason: In order to protect the residential amenity of adjacent properties.**
- 6 F16 (Restriction of hours during construction)**  
**Reason: To protect the amenity of local residents.**
- 7 F18 (Scheme of foul drainage disposal)**  
**Reason: In order to ensure that satisfactory drainage arrangements are provided.**
- 8 F48 (Details of slab levels)**

**Reason:** In order to define the permission and ensure that the development is of a scale and height appropriate to the site.

**9 G04 (Landscaping scheme (general))**

**Reason:** In order to protect the visual amenities of the area.

**10 G05 (Implementation of landscaping scheme (general))**

**Reason:** In order to protect the visual amenities of the area.

**11 G09 (Retention of trees/hedgerows)**

**Reason:** To safeguard the amenity of the area.

**12 Prior to the commencement of the use of the swimming pool, health suite, bedroom and holiday let wings, the full details of the Green Travel Plan together with measures for monitoring its effectiveness shall be submitted to and approved in writing by the Local Planning Authority. The document shall be maintained and kept available for inspection by the Local Planning Authority upon request and all reasonable improvements agreed in writing shall be incorporated into the Green Travel Plan.**

**Reason:** To ensure that a range of sustainable transport alternatives are available and promoted in accordance with the sustainable objectives of Herefordshire Council.

**13 H05 (Access gates )(5 metres)**

**Reason:** In the interests of highway safety.

**14 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.

**15 H21 (Wheel washing)**

**Reason:** To ensure that the wheels of vehicles are cleaned before leaving the site in the interests of highway safety.

**16 H27 (Parking for site operatives)**

**Reason:** To prevent indiscriminate parking in the interests of highway safety.

**17 H29 (Secure 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.

**Informatives:**



- 1 N15 - Reason(s) for the Grant of PP/LBC/CAC
- 2 HN05 - Works within the highway
- 3 HN10 - No drainage to discharge to highway
- 4 HN19 - Disabled needs
- 5 N13 - Control of demolition - Building Act 1984

**NW2004/2760/C**

- 1 C01 (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 C14 (Signing of contract before demolition)

Reason: Pursuant to the provisions of Section 17(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.