

19A DCNC2005/4002/F - CHANGE OF USE AND CONVERSION TO 2 STUDIO, 6 ONE BED AND 1 TWO BED FLATS AND 1 TWO BED MAISONETTE AT MASONIC HALL, 40/42 SOUTH STREET, LEOMINSTER, HEREFORDSHIRE.

19B DCNC2005/4003/L – AS ABOVE

**For: Finale Properties Ltd., Wormelow House,
Wormelow, Herefordshire, HR2 8EG**

**Date Received:
15th December 2005**

Ward: Leominster South

**Grid Ref:
49589, 58807
AJ/CR**

Expiry Date:

9th February 2006

BVPI Date: 16 March 2006

Local Members: Councillors R.B.A. Burke and J.P. Thomas

1. Site Description and Proposal

- 1.1 The site is located within Leominster adjacent to the town centre. The Masonic Hall building is Grade II listed. The site comprises two spacious meeting halls and associated rooms. The proposal is therefore for the conversion of a community facility, as described within Leominster policy A.61, to a residential building comprising ten dwelling units. These units are proposed to include 2 studios, 6 one-bed and 1 two-bed flats and 1 two-bedroomed maisonette.
- 1.2 There are no facilities for car parking on site, and none are proposed within the application. Secure cycle parking facilities are proposed on the site.

2. Policies

2.1 Leominster District Local Plan (Herefordshire)

- A.2: Settlement Hierarchy
- A.18: Listed Buildings and their Settings
- A.24: Scale & Character of Development
- A.52: Primarily Residential Areas
- A.55: Design & Layout of Housing Development
- A.61: Community, Social & Recreational Facilities
- A.62: Proposals Resulting in the Loss of Community Facilities
- A.64: Open Space Standards for New Residential Development
- A.65: Compliance with Open Space Standards
- A.72: Parking Within or Adjacent to Central Shopping and Commercial Areas

2.2 Herefordshire Unitary Development Plan (Revised Deposit draft)

S3: Housing
S7: Natural and Historic Heritage
S11: Community Facilities and Services
H1: Hereford and the Market Towns: Settlement Boundaries and Established Residential Areas
H13: Sustainable Residential Design
H14: Re-using Previously Developed Land and Buildings
H15: Density
H16: Car Parking
H19: Open Space Requirements
T6: Walking
T7: Cycling
T11: Parking Provision
HBA1: Alterations and Extensions to Listed Buildings
HBA3: Change of Use of Listed Buildings
RST3: Standards for Outdoor Playing and Public Open Space
CF6: Retention of Existing Facilities
DR5: Planning Obligations

2.3 Hereford and Worcester County Structure Plan:

CTC13: Conversion of Buildings
H2B: Location of Housing (General)
CTC9: Development Criteria

2.4 Planning Policy Guidance 3: Housing
Planning Policy Guidance 15: Conservation and the Historic Environment
Planning Policy Guidance 13: Transportation

3. **Planning History**

97/0065/N – Alterations and improvements and replacement of part of toilet facilities at the Masonic Hall. Conditional approval 17.4.97.

97/0049/L – Alterations, improvements, demolish lean-to and replace with extension at the Masonic Hall. Conditional approval 17.4.97.

4. **Consultation Summary**

Statutory Consultations

- 4.1 Victorian Society: No reply.
4.2 Georgian Society: No reply.
4.3 Twentieth Century Society: No reply.

Internal Council Advice

- 4.4 Conservation Manager: Has no in-principle objection subject to minor amendments to include removal of one proposed new window and retaining current form of south

window. Oast House and Oast House to remain undivided. Conditions are also required.

- 4.5 Traffic Manager: Has no objection to the proposal though there is no parking provision because this is in a town centre position. Covered and secure cycle parking at one cycle space per bedroom is requested, and provision made within a S106 Agreement for transport benefit directly, fairly and reasonably related to the proposed development.
- 4.6 Parks and Countryside Manager: Notes no open space is provided on site apart from cycle parking spaces. A commuted sum is therefore requested as a contribution directly, fairly and reasonably related to the proposal to be used for the Sydonia Open Space opposite the site.

5. Representations

- 5.1 Leominster Town Council: The Council objects to the proposal on the following grounds:
- 1) Over development, and
 - 2) Poor planning
- 5.2 No other representations have been received.
- 5.3 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 main issues concerned with this pair of applications are as follows:
- 1) Principle of Conversion
 - 2) Impact on the Listed Building
 - 3) Over Development
 - 4) Design

Principle of Conversion:

- 6.2 The site had been marketed unsuccessfully from late 2003. The requirements of Policy A62 appear to be fulfilled in that the facility has been unsuccessfully and appropriately marketed for nearly two years.
- 6.3 The site is located on an edge of town centre position in a designated residential area adjacent to other permitted residential development. The applicant was informed at the enquiry stage that the site is therefore in-principle acceptable for conversion to residential use. No specific proposal had been seen until the current applications were received.

Impact on the Listed Building:

- 6.4 The Conservation Manager's report notes that internally the halls are fairly featureless and not of outstanding quality and their loss in Conservation terms is not deemed a major concern. There is in-principle no objection from the Conservation Manager subject to minor amendments and conditions as mentioned previously.

- 6.5 Your officer considers therefore that there is no ground for objecting to the proposed applications on Listed Building grounds.

Over development:

- 6.6 The Town Council is concerned about possible over development of the site, which measures 315m², with a proposal for ten units. Planning Policy Guidance 3: Housing clearly provides for high-density housing development with established settlements. The pending Unitary Development Plan Policy H15 recommends at least 50 dwellings per hectare in town centres and adjacent sites. No maximum density is proposed. In policy terms, the applications are therefore appropriate and there are, in your officer's opinion, no grounds for objection using over development reasons. In terms of overdevelopment, this is a conversion scheme not new build.

Design:

- 6.7 The Town Council also objects to the proposed development on grounds of poor design. In itself this is a highly subjective area for objection and the Town Council's concerns are noted. Having regard for the Conservation Manager's report where minor amendments and conditions are all that are considered necessary, these are obvious ways to mitigate any such objections.
- 6.8 Due to the differing roof lines within the existing structures on site, it is hard to appreciate the real dimensions and juxtapositions of the proposal. Therefore a large number of plans, elevations, photographs and designs are included to enable as much clarity as possible.
- 6.10 In your officer's opinion, and following advice, the design of the proposal is acceptable.

Conclusion:

- 6.11 It is therefore concluded that the development is acceptable in all aspects and accords with all relevant development Plan Policies. Accordingly these are recommended for approval.

RECOMMENDATION

DCNC2005/4002/F:

- 1) **The Legal Practice Manager be authorised to complete a planning obligation under Section 106 of the Town and Country Planning Act 1990 as per the draft Heads of Agreement attached, and any additional matters and terms as he considers appropriate.**
- 2) **Upon completion of the aforementioned planning obligation that the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission 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 - A09 (Amended plans)

Reason: To ensure the development is carried out in accordance with the amended plans.

3 - H29 (Secure cycle parking provision) (12 cycles)

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.

4 - C04 (Details of window sections, eaves, verges and barge boards) (door and window details and sections including heads and sills)

Reason: To safeguard the character and appearance of this building of special historical interest.

5 - C07 (Painted finish to windows/doors) (colour to be agreed)

Reason: To safeguard the character and appearance of this building of special architectural or historical interest.

6 - C08 (Repairs to external brickwork)

Reason: To safeguard the character and appearance of this building of special architectural or historical interest.

7 - C09 (External repointing)

Reason: To safeguard the character and appearance of this building of special architectural or historical interest.

8 - C10 (Details of rooflights) (investigation)

Reason: To ensure the rooflights do not break the plane of the roof slope in the interests of safeguarding the character and appearance of this building of special architectural or historical interest.

9 - C11 (Specification of guttering and downpipes)

Reason: To safeguard the character and appearance of this building of special architectural or historical interest.

10 - C13 (Repairs in situ)

Reason: In order to preserve the integrity of the structure of the buildings, the conservation of which constitutes the reason for allowing the development where a new building would be contrary to policy.

11 - C15 (Salvage recording)

Reason: To enable a record to be made of this building of historical and/or architectural interest.

12 - E16 (Removal of permitted development rights)

Reason: To enable the local planning authority to regulate any future proposals in this building of historic interest.

13 - F17 (Scheme of foul drainage disposal)

Reason: In order to ensure that satisfactory drainage arrangements are provided.

Informatives:

- 1 - NC01 - Alterations to submitted/approved plans**
- 2 - HN01 - Mud on highway**
- 3 - HN04 - Private apparatus within highway**
- 4 - HN05 - Works within the highway**
- 5 - HN10 - No drainage to discharge to highway**
- 6 - HN22 - Works adjoining highway**
- 7 - This permission is granted pursuant to an agreement under Section 106 of the Town and Country Planning Act 1990.**
- 8 - N15 - Reason(s) for the Grant of PP/LBC/CAC**

- 3) That the officers named in the Scheme of Delegation to Officers be authorised to amend the above conditions as necessary to reflect the terms of the planning obligation.**

DCNC2005/4003/L:

- 2) Upon completion of the aforementioned planning obligation that the officers named in the Scheme of Delegation to Officers be authorised to issue listed building consent subject to the following conditions:**

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 - A09 (Amended plans)

Reason: To ensure the development is carried out in accordance with the amended plans.

3 - C04 (Details of window sections, eaves, verges and barge boards) (door and window details and sections including heads and sills)

Reason: To safeguard the character and appearance of this building of historical interest.

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Decision:

Notes:

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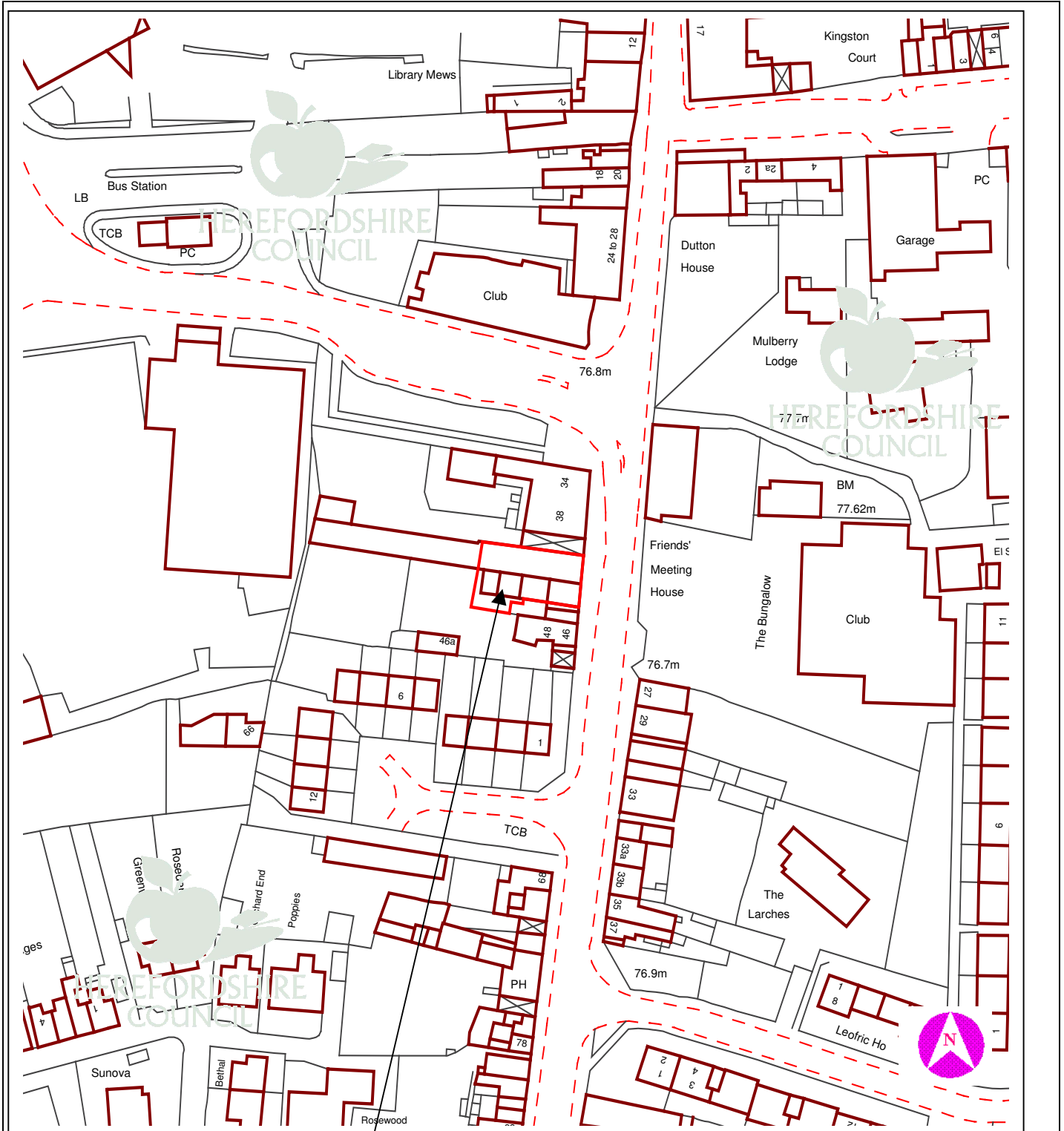
Background Papers

Internal departmental consultation replies.

DRAFT HEADS OF TERMS
Proposed Planning Obligation Agreement
Section 106 Town and Country Planning Act 1990

Planning Application – DCNC2005/4003/L & 4002/F
Change of use & conversion to 2 studios, 6 one bed & 1 two bed flats & 1 two bed maisonettes. At the Masonic Hall, South St, Leominster, Herefordshire

1. The developer covenants with Herefordshire Council, in lieu of the provision of open space on the land to serve the development to pay Herefordshire Council the sum of £3,000 which sum shall be paid on or before the commencement of development. This sum shall be index linked from the date of the agreement to the date of payment. (BCIS).
2. The monies shall be used by Herefordshire Council at its option for any or all of the following purposes:
 - Infrastructure improvements to The Sydonia Open Space
 - Lighting at The Sydonia Open Space
3. In the event that Herefordshire Council does not for any reason use the said sum of Clause 1 for the purposes specified in the agreement in Clause 2 within 10 years of the date of payment, the Council shall repay to the developer the said sum or such part thereof which has not been used by Herefordshire Council.
4. The developer covenants with Herefordshire Council, to pay Herefordshire Council the sum of £8,000 to provide transportation facilities to serve the development which sum shall be paid on or before the commencement of development. This sum shall be index linked from the date of the agreement to the date of payment. (BCIS).
5. The monies shall be used by Herefordshire Council at its option for any or all of the following purposes:
 - Town centre cycle parking provision,
 - Maintenance of town centre car parking facilities
 - Leominster section of the Sustrans national cycle network.
6. In the event that Herefordshire Council does not for any reason use the said sum of Clause 6 for the purposes specified in the agreement within 10 years of the date of payment, the Council shall repay to the developer the said sum or such part thereof which has not been used by Herefordshire Council.
7. 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.
8. The developer shall complete the Agreement by 14th March 2006 otherwise the application will be registered as deemed refused



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APPLICATION NO: DCNC2005/4002/F

SCALE : 1 : 1250

SITE ADDRESS : Masonic Hall, 40/42 South Street, Leominster, Herefordshire.

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