

## DEVELOPMENT MANAGEMENT COMMITTEE – 7 NOVEMBER 2018

<b>Application Number</b>	3/18/1548/FUL and 3/18/1549/LBC
<b>Proposal</b>	Single storey rear extension and glazed infill extension
<b>Location</b>	Courtyard Arts Centre, Port Vale, Hertford, SG14 3AA
<b>Applicant</b>	Courtyard Arts Centre
<b>Parish</b>	Hertford
<b>Ward</b>	Hertford Bengoe

<b>Date of Registration of Application</b>	10 July 2018
<b>Target Determination Date</b>	4 September 2018
<b>Reason for Committee Report</b>	Application site relates to land which is owned by East Herts Council
<b>Case Officer</b>	Susie Defoe

### **RECOMMENDATION**

That Planning Permission and Listed Building Consent be **GRANTED** subject to the conditions set out at the end of this report.

#### **1.0 Summary of Proposal and Main Issues**

1.1 Planning permission was previously granted in 2015 for a single storey rear extension and a glazed infill extension to the courtyard of the building. The current proposal is for a similar scheme, for the erection of a single storey rear extension (with alterations proposed to the number and size of roof lights) and with the infill courtyard extension now designed with part glazed elevations and a slate roof (it was previously proposed with a glazed roof) abutting the existing Courtyard Arts Centre building (which is curtilage listed). The proposal would, as did the 2015 application, result in the loss of public parking provision in the adjacent car park to the rear of the building.

- 1.2 The main issues for Members to consider are the amendments to the proposal following the 2015 application, and in particular the visual impact of the development and its impact on heritage assets and the impact on parking provision.

## **2.0 Site Description**

- 2.1 The application site lies on the southern side of Port Vale, close to the junction with Port Hill within the Hertford Conservation Area. It comprises a part two storey, part single storey building established historically as the curtilage listed stable building for the adjacent Grade II listed Vale House, to the east of the site.
- 2.2 To the north of the site is a primarily residential area, whilst to the east fronting Port Hill is a mix of residential, commercial and community uses.
- 2.3 Immediately to the rear and the east of the site is a Council owned public car park, which includes allocated parking for the Courtyard Arts Centre and nearby residents.
- 2.4 The scheme initially included a concrete platform for the storage of refuse bins. The proposal has been amended to remove this element due to concerns raised by the Landscape Advisor.

## **3.0 Planning History**

The following planning history is of relevance to this proposal:-

Application Number	Proposal	Decision	Date
3/15/1607/FUL	Single storey rear extension and glazed infill extension	Grant	11.11.2015
3/15/1608/LBC	Single storey rear extension and glazed infill extension	Grant	11.11.2015

## 4.0 **Main Policy Issues**

- 4.1 These relate to the relevant policies in the East Herts District Plan 2018 (DP) and the National Planning Policy Framework (NPPF). There is no emerging or adopted Neighbourhood Plan which relates to this site.

<b>Main Issue</b>	<b>DP policy</b>	<b>NPPF</b>
Visual impact and impact on heritage assets	DES4, HA1, HA4, HA7,	Sections 12 and 16
Impact on parking provision	TRA3	Section 9

Other relevant issues are referred to in the 'Consideration of Relevant Issues' section below.

## 5.0 **Summary of Consultee Responses**

- 5.1 EHDC Conservation and Urban Design Advisor commented that the previous approval in 2015 was supported. The main revision in comparison to that previous approval is the replacement of the proposed glazed roof with a slate roof. This may blur the distinction between the old and new parts of the building, but will result in a more comfortable internal environment. The proposed roof lights to the extension lack glazing bars and should be revised. The Advisor also comments that the existing gates should be reinstated on completion of the works.
- 5.2 HCC Historic Environment Unit has commented that it is unlikely that the proposal will have any significant impact on heritage assets of archaeological interest.
- 5.3 EHDC Landscape Advisor has commented that the proposed building footprint is similar to the approved development ref. 3/15/1607/FUL, to which they did not raise any objection and commented that irrespective of the actual root distribution the extent of the RPA which is compromised is not significant and

that provided the advice regarding construction methods in the report (Arboricultural Impact Assessment) is followed, the amount of tree damage caused will be minimised. The Advisor recommends that conditions relating to tree protection and landscape design proposals are attached to any permission given. The Landscape Advisor did however raise concerns in their comments that the proposed bin store was in close proximity to the base of a tree and would result in unacceptable adverse arboricultural impact. This element of the scheme has been removed from the proposal however.

## **6.0 Town Council Representations**

6.1 Hertford Town Council commented that it has no objection to the application.

## **7.0 Summary of Other Representations**

7.1 7 responses have been received, and whilst a number outline their support for the arts centre they also raise the following concerns:

- Loss of parking spaces will exacerbate the existing parking problems in the area;
- The existing dedicated spaces for Courtyard Arts within the existing public car park remain largely empty, but are unable to be used by the public.

## **8.0 Consideration of Issues**

8.1 It is material to the determination of these applications, that planning permission and listed building consent have previously been granted for a development similar to that now being proposed. The 2015 permission and consent remain extant and can be implemented. Therefore the determining matters in respect of these applications are whether there has been any change in policy or circumstance since the previous decision that

would now warrant a differing decision being made and whether the amendments to the proposal are acceptable.

Visual impact and impact on heritage assets

- 8.2 The proposed extensions remain appropriately designed with regard to the historic character of this curtilage listed building. Whilst the proposed infill structure would remain glazed on the front elevation only, the slate roof would result in a change to the previously approved lightweight appearance of the structure and as considered by the Conservation Advisor, this change may blur the distinction between old and new when compared to the previous approval. However, they do not raise any objections to the proposal in this respect and it is not considered that this change to the proposal would result in unacceptable harm to the character and appearance of the building, its impact on the Conservation Area or the significance of the heritage asset.
- 8.3 Due to the tiled nature of the roof of the infill extension to the courtyard area, the design does necessitate the addition of further roof lights. However due to their siting they would be predominantly obscured from view by the existing building which would surround the extension. Therefore, it is not considered that the roof lights to the infill extension would be harmful to the character and appearance of the building or the significance of the heritage asset.
- 8.4 The proposed rear extension remains similar to that approved by the 2015 application. These current applications do however propose amendments to the roof lights in the mono-pitch roof of this extension, changing from two larger roof lights to three roof lights. The Conservation Advisor has commented that the proposed roof lights to the rear extension would be devoid of appropriate conservation glazing bars and that the scheme should be amended to incorporate them.
- 8.5 Having regard to the overall design and the variety of existing roof lights within the building, the need for conservation glazing

bars within these roof lights is not considered to be necessary and it is not considered that the lack of glazing bars on these three roof lights would result in harm to the significance of the heritage asset. Therefore, whilst the comments of the Conservation Advisor are noted, it is not considered that amendments are necessary in this case.

### Parking

- 8.6 The proposed extension to the rear of the building would result in the loss of an existing parking area, which accommodates space for the parking of 7 vehicles. This extension is of the same size and siting as that approved by the 2015 application, and as set out above the 2015 permission is material to the determination of the current applications.
- 8.7 The concerns of local residents in respect of the existing parking situation have been noted and it is acknowledged that the proposal would result in a reduction in the number of parking spaces available for use and also (due to the increase in the size of the building) has the potential to generate some additional parking demand. However, as set out in the determination of the 2015 application, the site is located in a sustainable location close to the town centre, public transport provision and other public car parks. Having regard to its location it is not considered that the proposal would result in significant adverse impacts in terms of parking and it is material that planning permission has previously been granted for this development.

### Impact on trees

- 8.8 The proposed rear extension would be sited close to two mature Lime trees. Initially the application proposed a refuse storage area on the verge area under the canopy of the trees, which due to its proximity to the trees would have result in harm to the trees. The Landscape Advisor had raised concerns with this element of the proposal, however to address those concerns this has been removed from the scheme.

- 8.9 The submitted Arboricultural Report indicates that the proposed rear extension would impact on the root protection areas of the trees. However, it concludes that subject to the works taking place in accordance with the method statements specified in the Report, the works would not be detrimental to the retained trees. The Landscape Advisor does not raise objection to this element of the scheme subject to the development taking place in accordance with the details of the Arboricultural Report. It is therefore considered that the proposal would not result in unacceptable harm to the adjacent trees.

#### Other matters

- 8.10 The proposed development by reason of its siting and proximity to nearby residential properties is unlikely to have any significant impact on nearby properties. The rear extension would be partially visible from properties in Port Vale, but having regard to the single storey nature of the extension it is not considered that the proposal would result in harm to the amenities of the occupiers of those properties.
- 8.11 The proposal would enlarge the Courtyard Arts building and support the existing community use of the building, by providing additional art studio space and enhanced facilities for the reception area and café. As such the proposal would accord with policy CFLR7 of the District Plan which supports enhanced buildings for public or community uses. It also supports the provisions of the revised National Planning Policy Framework as regards the social dimension of sustainability, which is a positive material consideration that carries weight.

### **9.0 Planning Balance and Conclusion**

- 9.1 As set out above, it is material to the determination of these applications, that planning permission and listed building consent have previously been granted for a development similar to that now being proposed. The 2015 permissions remain

extant and can be implemented. There have been no significant changes in circumstance or policy since the 2015 permission that would not warrant a different decision being made. The proposed amendments to the scheme are considered to be acceptable and would not result in significant harm to the character and appearance of the building, the Conservation Area or the significance of this curtilage listed building.

- 9.2 Whilst it is acknowledged that the proposal will result in the loss of parking provision and that there is existing parking pressures in the surrounding area, the site is located in a sustainable location close to the town centre, public transport provision and other public car parks and the proposal would not therefore result in significant adverse impacts in terms of parking.
- 9.3 Subject to appropriate conditions being attached to any grant of permission, the proposal would not result in any unacceptable impact on existing landscape features and the proposal would not result in any harm in terms of impact on the amenities of the occupiers of nearby residential dwellings.
- 9.4 Positive weight should be attached to the enhanced provision that this development would provide for this existing arts facility in accordance with policy CFLR7 of the District Plan and National Planning Policy Framework.
- 9.5 Having regard to the above it is therefore recommended that planning permission and listed building consent be granted.

### **RECOMMENDATION**

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

1. Three year time limit (1T12)
2. Approved Plans (2E10)

3. Tree/Hedge retention and protection (4P05)
4. Landscape Design (4P12)
5. Landscape Implementation (4P13)
6. The development shall be carried out in accordance with the construction methods recommended in the submitted Arboricultural Impact Assessment dated 2<sup>nd</sup> June 2015, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid damage to the health of the existing trees adjacent to the site in accordance with policy DES3 of the East Herts District Plan 2018.

#### Informative

1. Other legislation (01OL)

#### **Summary of Reasons for Decision**

East Herts Council has considered the applicant's proposal in a positive and proactive manner with regard to the policies of the Development Plan and any relevant material considerations. The balance of the considerations is that permission should be granted.

That listed building consent be **GRANTED** subject to the following conditions:

1. Listed Building three year time Limit (1T14)
2. Samples of Materials (2E12)

#### **Summary of Reasons for Decision**

East Herts Council has considered the applicant's proposal in a positive and proactive manner with regard to the policies of the Development Plan and any relevant material considerations. The balance of the

considerations is that listed building consent should be granted.

**KEY DATA**

**Non-Residential Vehicle Parking Provision**

Use type	Standard	Spaces required
Non-residential institution	1 space per 30sqm	10 spaces
Existing allocation in public car park		6 permits in public car park
Proposed allocation in public car park		4 permit in public car park