

a) 3/08/1783/FP - Conversion of existing building to form 9 no. three bedroom and 3 no. two bedroom houses and creation of associated off-street parking with revised vehicular access, and

b) 3/08/1784/LB - Conversion of existing building to form 9 no. three bedroom and 3 no. two bedroom houses at

Central Maltings, New Road, Ware Herts SG12 7BS for Mr M J Warner

Date of Receipt: (a) 09.10.08
(b) 09.10.08

Type: (a) Full Permission
(b) Listed Building Consent

Parish: WARE

Ward: WARE - CHRISTCHURCH

RECOMMENDATION

(a) That in respect of application 3/08/1783/FP planning permission be **REFUSED** for the following reasons:-

1. The proposed conversion of the Maltings building would result in an overdevelopment of the site by virtue of the number of units proposed; the cramped and congested layout of the interior of the building; the extensive parking and hard surfacing areas to the front of the site; the lack of private or communal amenity space; and the poor relationship with the adjoining Maltings buildings and surrounding development. It would thereby provide a poor standard of residential accommodation for future occupiers of the dwellings and be contrary to policy ENV1 of the East Herts Local Plan Second Review April 2007.
2. The proposed conversion of the Maltings building, by reason of the unsympathetic exterior treatment; the design of the elevations of the building; the density of the development, the level of parking and the unsympathetic expanses of hard surfacing to the front of the site would be detrimental to setting of the listed building and the character and appearance of the Ware Conservation Area wherein the site is situated. It would thereby be contrary to policies BH6 and BH12 of the East Herts Local Plan Second Review April 2007.

(b) That in respect of application 3/08/1784/LB Listed Building Consent be **REFUSED** for the following reasons:-

1. The proposed external and internal treatment of the listed building, including the apparent loss of notable architectural features, is considered to be harmful and detrimental to the historic character and appearance of the Listed Building and therefore contrary to policies BH10 and BH11 of the East Herts Local Plan Second Review April 2007.

1.0 Background

- 1.1 The application site is shown on the attached OS extract and is situated on the eastern side of New Road to the rear of number 14 and an area of EHDC resident's car parking. It forms one of a range of three listed former Maltings buildings situated within the Ware Conservation Area.
- 1.2 To the north of the site is the North Maltings building, and beyond that Christ Church, a Grade II listed Church and Christ Church Primary School. To the east is a local Health Centre and residential properties and to the south is a further Maltings building, comprising the Ware Arts Centre and bar/ function centre 'Waggers' backing onto the Kibes Lane public car park.
- 1.3 The building the subject of this application is a Grade II listed three storey building of brick and timber construction. Its current authorised use is for light industrial purposes, most recently used as a car repair centre. The interior space is divided into a large middle section of brick, flanked by a timber framed weatherboard section at first floor level to the west. The middle section is divided by pilasters into bays pierced by windows on three short floors. The property is currently vacant. Access to the site is from New Road, with a historic brick wall fronting the access.
- 1.4 Existing car parking provision and garages occupy areas to the rear (east) of the site and in front of the malting building (on its west side) providing space for approximately 14 cars in total with a cycle store.
- 1.5 The submitted scheme seeks permission for the conversion of the building to 12 dwellings, 9 three bedroom units and 3 two bedroom units. Eleven of the units would have a home office facility to the second floor, within the roof space. The ground floor would provide bedroom accommodation with the lounge and kitchen areas at first floor.
- 1.6 There is no private amenity space directly provided for the residential units and no soft landscaped areas within the site.
- 1.7 The proposal makes provision for an improved access arrangement onto New Road for the range of Maltings buildings. This would provide a footpath adjacent to the southern boundary wall of 14 New Road, pedestrian entrances to the southern elevation (between the site and the adjacent southern malting building), an enlarged vehicle access with the historic brick wall to the north being demolished and rebuilt with a railed opening providing improved site lines along the adjacent highway.

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- 1.8 An open courtyard at the eastern end of the site would provide seven allocated parking spaces and a bin store with an access route retained to the adjacent North Maltings Building.
- 1.9 To the west of the building, beyond the allocated parking area, is a parcel of land fronting New Road (albeit currently behind the listed boundary wall) in the ownership of the applicant but this is not included in the application site and no details are provided as to its intended use following the conversion of the building.

2.0 Site History

- 2.1 The building was built in the early 19th century as a range of three Maltings buildings. The site has an established use for light industrial purposes, the building being sub-divided into several units.
- 2.2 Planning history on the site appears to have commenced with a permission granted in 1978 under ref: 3/78/0121/FP for the continued operation of the buildings for light industrial use.
- 2.3 A further planning permission was granted in 1980 under ref: 3/80/0304/FP for the subdivision of the Maltings site from operation as a whole unit to operation as three separate light industrial units.
- 2.4 There had been a further permission granted on the site in 1991 under ref: 3/91/0491/FP for the renovation and upgrading of the eastern end of the central malting building. The building has since remained in operation as a vehicle repair centre with evidence of dilapidation and disrepair for several years.
- 2.5 Members may recall that a similar proposal to convert the adjoining Northern Maltings into 12 dwellings (Ref: 3/08/1178/FP & 3/08/1179/LB) was refused in October 2008 on grounds relating to the harmful external treatment of the building, and the unsatisfactory access arrangements onto New Road.

3.0 Consultation Responses

- 3.1 The Ancient Monuments Society comments that residential re-use (conversion) of a Maltings is never the most suitable one, although it is the most secure. They are difficult to convert because there are rarely sufficient existing windows and the floor to ceiling heights are low.

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- 3.2 They further comment that the removal of the middle and upper floors in the building has meant that floor to ceiling heights is not really a problem here, except at the eastern and western end where the original floors survive. The conversion appears dense. However, the main external features are retained so the evidence of the historic malting process can still be understood through the division of the building and the kiln cowls. The proposed increase in the doors and windows is considered intrusive, detracting from the building's historic character.
- 3.3 Some of the existing windows are retained. However, they consider that it is essential that the new windows, and existing, have frames and reveals that are indicative of the building's former use as a malthouse.
- 3.4 The conversion of the central part would, they feel, present relatively few problems; the units to the eastern and western ends do follow the existing lines of the original layout. However, it is not clear to what extent which, if any, of the features that make the malthouse important is retained.
- 3.5 The Society would expect to see every effort made to retain the following features:
- The existing cast iron columns at the western end.
 - The bases of the other columns smoothed off and kept as features
 - The timber stud work partition at the eastern end ground floor
 - The timber stud work and infill plaster work at the western end of the building
 - The vertical ladder indentations and the carpenter's marks and the depth of window reveals.
- 3.6 They consider that consent should not be granted until there is more detail available on the features mentioned above.
- 3.7 The Conservation Officer also raises concerns regarding the lack of detail as regards the proposed external design, fenestration and door pattern interruptions of the building elevations which relate poorly to the historic character of the listed building. There are no details regarding the retention of historic features other than the external cowls. The development is a dense, cramped conversion with large expanses of parking adjacent to the southern elevation, as well as to the rear and front elevations of the malthouse building. This compromises the architectural details and integrity of the building.

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- 3.8 English Heritage comment that the application should be determined in accordance with national and local policy guidance, and on the basis of the council's specialist conservation advice.
- 3.9 Thames Water advises that they have no objections to the planning application. They do draw the applicant's attention to the need to address Surface Water Management on the site.
- 3.10 Environmental Health advises that any permission which the planning Authority may give shall include conditions regarding: Noise insulation: Dust Hours of working: Soil decontamination and Refuse disposal facilities.
- 3.11 The Environment Agency initially commented that they objected to the proposed development as submitted, as there is insufficient information to demonstrate that the risk of pollution to controlled waters was acceptable. However, this earlier objection has been withdrawn, provided that conditions regarding the submission of a preliminary risk assessment and further investigation for any contamination found on the site, are imposed on any permission granted.
- 3.12 Three Valleys Water advises that the site is within the groundwater Source Protection Zone (SPZ) of Musley Lane pumping station.
- 3.13 The County Planning Obligations Officer identifies that financial contributions are required to minimise the impact of the development on County Council Services in respect of Libraries (£2,720), Youth (£856) Childcare (£2,144) and fire hydrant provision.
- 3.14 Hertfordshire Constabulary comments that crime prevention measures are not identified within the development and the proposal should incorporate measures to minimise the risk of crime, to meet specific security needs of the application site and development.
- 3.15 County Highways does not wish to restrict the grant of permission subject to a number of planning conditions and a Section 106 legal agreement between East Herts Council and Hertfordshire County Council to secure a financial contribution of £12,375 index linked which shall be payable upon commencement of the development towards sustainable transport schemes and measures within the vicinity.
- 3.16 County Highways further advise that the principle of the current proposal is acceptable in a highways context. The proposal offers an opportunity to improve the existing vehicle access arrangements to the overall site.

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- 3.17 In this respect they confirm that the scheme indicated on drawing 9123/SK/005 Rev C, which shows a widened access, improved visibility and separate footway into the site achieves this.
- 3.18 Herts Biological Records Centre comment that a Bat Survey conducted at the site found no evidence of bats in the building to be developed. However, they recommend that in the event of roosting bats being found during development, work must stop and Natural England be informed.
- 3.19 The County Archaeologist believes that the position and nature of the proposed development is such that it should be regarded as likely to have an impact on significant archaeological remains and recommends approval subject to the addition of conditions for archaeological recording, investigation of remains and the production of an archive report.
- 3.20 The Landscape Section recommends the proposal be refused due to the lack of details within the proposed development relating to landscaping of the site.

4.0 Town Council Representations

- 4.1 Ware Town Council objects to the proposed change of use of the Maltings to residential development, the loss of the employment land and the likelihood of increased vehicular movements.
- 4.2 The application will result in fire exits from Waggars, occupants of the south Malting, being blocked and will also prevent deliveries to them and in addition, it seems that the area presently used by them for rubbish containers will disappear.

5.0 Other Representations

- 5.1 The applications were initially advertised by way of press notice, site notice and neighbour notification. There were 3 letters of objection from the residents of 33, 37 and 41 New Road. The letters raised concerns/objections over the following issues:
- The existing parking congestion in the increase in traffic in the locality.
 - Inadequate provision of parking for residents of New Road
 - The need to develop both sites together, to create a cohesive strategy for the site as regards appropriate levels of car parking on site.
 - Provision of Section 106 contributions for a residents parking scheme in New Road.

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6.0 Policy

6.1 The policies of the East Herts Local Plan Second Review April 2007 that are considered to be most relevant in this case are:

- SD1: Making Development More Sustainable
- HSG3: Affordable Housing
- HSG6: Lifetime Homes
- EDE2: Loss of Employment Sites
- TR7: Car Parking Standards
- TR14: Cycling facilities
- ENV1: Design & Environmental Quality
- ENV2: Landscaping
- BH6: New Developments in Conservation Areas
- BH10: Extensions and Alterations to a Listed Building
- BH11: Conversion or change of use of a Listed Building
- IMP1: Planning Obligations

7.0 Considerations

7.1 The determining issues in this case relate to (a) the justification for the loss of the employment provision on the site, (b) the form, layout, design and sustainability of the scheme and its impact on both the Listed Building itself and the character and appearance of the Conservation Area, c) parking and access issues and d) any necessary financial contributions required to mitigate for the impact of the development on local services and infrastructure.

Loss of Employment Use

7.2 Although the proposal site is not in an identified Employment Area, it has in the past operated as a light Industrial use (B1), although it has been in use recently as a vehicle repair centre. Policy EDE2 indicates that development resulting in the loss of an existing employment site will only be permitted where the retention of the site for employment use has been explored without success.

7.3 It is acknowledged that this site is in a primarily residential location and a residential use would have benefits to the amenity of the surrounding residential properties in respect of noise, disturbance and traffic generation.

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- 7.4 The proposal, as submitted indicates that the site has been partially vacant for some time, the internal layout with an open middle section leaving little scope for adaption or marketability for a competitive commercial use.
- 7.5 It is considered therefore that there is some justification for a residential re-use having regard to the condition of the building. There is also some provision for home office accommodation proposed in the roof space.
- 7.6 The extent of repairs/restoration required, and the limited access, suggests to officers that, in this case, the retention of the premises for employment purposes would not be the most appropriate use and that a residential conversion would be a more sustainable option, providing for the retention, repair and future maintenance of the building.
- 7.7 The provisions of part (b) and part (c) of the policy are therefore considered to be met, and although the proposal is not directly in accordance with policy EDE2, it is considered that these other material planning considerations, together with the fact that the home office workspace proposed would permit some employment use to continue, are sufficient to indicate that a departure from that part of the policy is justified in these circumstances.

Design, layout and sustainability issues

- 7.8 In principle, the site is well located on the periphery of the town centre of Ware; the provision by conversion of new residential development in this location is acceptable under policies SD1 and HSG1.
- 7.9 The proposed scheme for 12 units (3 two bed and 9 three bed) has not been accompanied by a sustainability statement, which indicates that the applicants have not taken initiatives to enhance the sustainability of restoration in terms of energy and water conservation.
- 7.10 The design and layout of the 12 residential units, with regard to policy ENV1, are not considered to relate well to, or be sympathetic to, the character and appearance of the existing listed malthouse building.
- 7.11 Neither more generally does the proposed conversion design and layout compliment or give reference to the character and appearance of the Ware Conservation Area. The proposal creates a dense, cramped form of development that fails to respect or retain the malthouse architectural and historic features, or the pattern of existing fenestration. There are also no private amenity areas, or communal landscaped areas to compliment the setting of the listed building or to provide a good quality of environment for future occupiers of the units.

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- 7.12 The conversion provides two bedroom and three bedroom units with limited natural lighting due to the building's position between the other two malthouse buildings and the provision of a shared driveway access and parking to the front entrances of the southern elevation. This arrangement would result in future occupiers being adversely affected by noise, disturbance and frequency of vehicle movements associated with both the central Maltings residential development and the southern Maltings multiple uses and services provision.
- 7.13 The number of the units proposed and the frequency of new inserted openings, would detract from the building's historic character and overwhelm the southern elevation of this notable Victorian building. The interruptions detract from the building, and appear at odds with the limited fenestration that was characteristic of the malthouses functional design. This would be further emphasised by the removal of the noticeable reveal to the window openings.
- 7.14 Eleven of the units are provided with a mezzanine area at second floor providing a work place environment within the roof space. There is little impact from this aspect of the design, being a creative use of the loft space.
- 7.15 There are no objections in principle to the insertion of roof lights along both pitched roof planes as there are limited views from outside of the site, perhaps one roof light of a slightly large scale would be preferable, rather than the regimented "pepper pot" insertions along the roof.
- 7.16 The Conservation Section and Ancients Monuments Society recommend that the application be refused by reason of the poor design, the number of units proposed, the lack of detail regarding the retention or preservation of architectural features within the interior of the building and the frequency of the fenestration and door openings proposed in the conversion to residential use.
- 7.17 They also question the justification for the number and siting of parking provision in the proposal and suggest that a less dense development would be more sympathetic to the character and appearance of the original listed malthouse and would require less parking provision, thereby enhancing the setting of the building.
- 7.18 Officers concur with the view that the proposed design and layout is inadequate and would provide a cramped and congested form of development. It fails to respect the architectural character and historic appearance of the listed malthouse building, and the adjoining Maltings buildings, and is detrimental both to the listed building and its setting, and

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also to the preservation and enhancement of the Conservation Area contrary to policies ENV1 BH5 and BH10 of the adopted Local Plan.

Parking Provision and Access

- 7.19 The Council's adopted car parking standards require a maximum provision for residential accommodation of 1.50 spaces per 2 bedroom unit and 2.25 spaces for 3 bedroom units. This would equate to a maximum provision of 25 spaces overall for the 12 units proposed at the site.
- 7.20 However, as the site lies within Zone 3, wherein 50%-75% of unfettered demand is considered appropriate, a significantly reduced provision is considered acceptable in this case. The proposed provision of 19 allocated spaces, with very limited landscaping around the building, is considered excessive in this case and would, as mentioned previously, result in a poor setting for the listed building and a poor outlook and environment for future occupiers.
- 7.21 The five parking spaces to the front (western) elevation of the building would detract from the simple form, character and visual amenity of the historic malthouse, comprising all hard surfacing and access drive with no landscaping provided.
- 7.22 To the west of the parking and refuse store is area of undeveloped land within the applicant's ownership, but not included in the application site. In terms of the overall visual amenity and appearance of the site, this area should be included in the development to provide soft landscaping to relieve the hard surfacing and compliment the visual amenity of the front of the site improving the setting of the group of three malthouse buildings.
- 7.23 Officers consider that a reduction in the number of units proposed, in concert with the inclusion of the extra area of land to the front and an increased amount of open landscaped areas, would result in a significant improvement to the setting, character and appearance of the building. This would be preferable to providing an excess of parking at the expense of a high quality residential environment for future occupiers.
- 7.24 In addition, given the proximity of the railway station and good bus routes, together with direct pedestrian access to the town centre and its services, a reduction in the parking provision is considered acceptable.
- 7.25 The issue of the poor visibility of the access onto New Road has been addressed by the proposed demolition of the tall historic wall to the north of the access. This would be rebuilt at a lower height and in a different position further north, to widen the access entrance.

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- 7.26 However, although opening up of the wall would provide improved visibility and sight lines to the northern view along New Road, the design of the new wall currently proposed is considered to fail to relate sympathetically to the character and appearance of the site or to respect the simple industrial nature of the group of listed Maltings buildings.
- 7.27 It is suggested therefore that further amendments would be needed in respect of the relocation and rebuilding of the wall, its design, height and character, incorporating a slightly wider access. The inclusion of the area of undeveloped land to the front of the site in any future applications and appropriate soft landscaping in this area would provide a real opportunity to enhance the character and appearance of the locality and the Conservation Area on a pedestrian route to the town centre.
- 7.28 The Highways Authority has previously stated that the redevelopment of the whole of the site, including all three malthouses would be preferable, to enable a rationalisation and full re-design of the access arrangements to improve exit/ entry visibility. Highways have however commented in this case that the access as provided in this scheme is acceptable.
- 7.29 In summary therefore, the scheme for the development of this central maltings site, although addressing the poor access and exit/ entry visibility situation, fails to take opportunities to further enhance the front aspect of site, within the public arena, the setting of the listed building or improve the character and appearance of the site within the Conservation Area contrary to policies ENV1 ENV2 and BH5 of the adopted Local Plan.

Planning Obligations

- 7.30 The number of units proposed (12) falls below the threshold for the provision of affordable housing as regards the provisions of policy HSG3.
- 7.31 Policy IMP1 requires that, as part of a development scheme, developers will be required to make appropriate provision and mitigation for the impact of the development on the infrastructure of the locality.
- 7.32 The applicants have expressed agreement to entering into a s.106 agreement in respect of HCC contributions towards sustainable transport measures, childcare, youth and library facilities. Further additional contributions to the District Council will also be required in accordance with the adopted Planning Obligations SPD and although these are not referred to by the applicants, any revised application would be expected to include these additional requirements.

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8.0 Conclusion

- 8.1 In summary, officers consider that the proposed scheme will result in a redevelopment of the site that fails to provide a high standard of design and internal layout, or landscape amenity area, that would relate well to, or preserve, the architectural details; setting; historic character and appearance of the Listed Building; and the character of the surrounding built environment of the Conservation Area. Furthermore, the development would result in a poor environment and living conditions for future occupiers of the site.
- 8.2 The position and number of car parking spaces and the unidentified use of the land to the side of the access at the front of the site, which detracts from the setting of the listed building, is unacceptable and fails to respect the status, character and appearance of the listed buildings or the overall character of the conservation area.
- 8.3 The development fails to satisfy the objectives of the Development Plan and accordingly it is therefore recommended that planning permission and listed building consent be refused for the reasons set out at the commencement of this report.