

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

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

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

Parish: WARE

Ward: WARE – CHRISTCHURCH

Reason For report: Major application previously deferred

### RECOMMENDATION:

That, subject to the applicants entering into a legal obligation pursuant to S106 of the Town and Country Planning Act 1990 to cover the following matters:-

- The alteration of the existing access onto New Road and the provision of a new footpath adjacent to 14 New Road as shown on drawing no. 9123/SK/005 prior to the first occupation of any of the residential units hereby permitted.
  - A financial contribution of £19,875 to promote sustainable transport measures and schemes in the vicinity of the site.
  - A financial contribution of £5,720 towards HCC Childcare, Youth Services and Libraries.
  - A financial contribution to EHDC of £6,199 towards the provision and maintenance of Amenity Green Space.
  - A financial contribution to EHDC of £4,556 towards provision and maintenance of open space for children/young people
  - A contribution of £864 towards recycling.
  - Provision of a fire hydrant.
- a) Planning permission be **GRANTED** in respect of application 3/08/1783/FP subject to the following conditions:
1. Three Year Time Limit (1T12)

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2. Programme of archaeological work (2E02)
3. Complete Accordance (2E10)
4. Samples of materials (2E12)
5. The alterations to the site access including the front boundary wall and the bollards adjacent to the access as shown on drawing no. 9123/SK/005 shall be carried out prior to the first occupation of any of the units hereby permitted.

Reason: To ensure that the development preserves and enhances the character of the surrounding area and the setting of the nearby listed buildings in accordance with policies BH6, BH12 and ENV1 of the Local Plan and in the interests of highway safety.

6. Lighting details (2E27)
7. Communal TV facilities (2E32)
8. Provision and retention of parking space (3V20)
9. Construction parking and storage (3V22)
10. Cycle Parking Facilities (2E29) Add ...“in accordance with plan no 9123/SK/005”.
11. Landscape Design (4P12) Parts (b), (e), (h), (i), (k)
12. Landscape works implementation (4P13)
13. Landscape maintenance (4P17)
14. Retention of landscaping (4P21)
15. Construction hours of working plant and machinery (6N07)

**Directives**

1. Other Legislation (01OL)
2. Relationship with Listed Building (26LB)  
(LPA ref: 3/08/1784/LB)

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**Summary of Reason for Decision**

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and East Herts Local Plan Second Review April 2007) and in particular policies SD1, HSG3, HSG6, EDE2, TR7, TR14, ENV1, ENV2, BH6, BH12 and IMP1 of the East Herts Local Plan Second Review April 2007. The balance of the considerations having regard to those policies and other material considerations is that permission should be granted.

b) that in respect of application 3/08/1784/LB Listed Building Consent be **GRANTED** subject to the following conditions:-

1. Three year Time Limit (1T14)
2. Samples of materials (2E12)
3. Listed Building New windows (8L03)
4. Listed building New doors (8L04)
5. Listed Building New brickwork (8L06)
6. Listed Building New rainwater goods (8L09)
7. Listed Building Making Good (8L10)

**Summary of Reason for Decision**

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and East Herts Local Plan Second Review April 2007) and in particular policies BH10 and BH11 of the East Herts Local Plan Second Review April 2007. The balance of the considerations having regard to those policies and other material considerations is that consent should be granted.

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## **a) 3/08/1783/FP & b) 3/08/1784/LB**

### **1.0 Background**

- 1.1 Members may recall the report to committee in February this year, attached as Appendix A, when it was resolved not to refuse planning permission and listed building consent, but for the applications to be deferred to enable officers to enter into discussions with the applicant to secure details setting out the retention of historic features of the building; other landscaping including the incorporation of land to the north of the access from New Road; and the securing of a suitable Planning Obligation.
- 1.2 Following discussions, the amended proposals now provide a large area of landscaped open space to the front of the site with a reduced and rebuilt front wall to separate it from the public highway.
- 1.3 The proposal retains the provisions for an improved access arrangement from New Road, providing a footpath adjacent to 14 New Road, an enlarged vehicle access with the historic brick wall to the north demolished and rebuilt with a larger opening providing improved sight lines.
- 1.4 The applicants have decided that the number of parking spaces proposed was excessive and this has been reduced from 19 spaces to 15 with 2 visitor bays. This enables 4 parking spaces to be removed from immediately in front of the maltings building. An open courtyard at the western 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. 8 spaces are provided in an enclosed area with cycle store at the eastern end of the site. This results in an allocation of 1.25 spaces per dwelling.

### **2.0 Consultation responses**

- 2.1 These are contained within the previous report attached as Appendix A. County Highways has been re-consulted on the revised landscaping/parking layout and any additional response received will be reported verbally at the committee meeting.

### **3.0 Town Council and Other representations**

- 3.1 Ware Town council objected to the original scheme, as indicated within the previous report attached as Appendix A. However, both the Town Council and earlier third party respondents have been re-consulted on the revised landscaping/parking layout and any additional responses received will be reported verbally at the committee meeting.

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### 4.0 Considerations

- 4.1 The issues highlighted in the report of 11 February 2009 to the Development Control Committee were the impact on the setting of the maltings due to extensive parking and hard surfacing areas, the poor standard of accommodation and the detriment to the special historic character of the maltings building.
- 4.2 Members deferred the application to enable these issues to be addressed by the provision of Planning Obligations, details of hard and soft landscaping incorporating the land to the north of the access in New Road and the retention of historic features of the building. It was not considered that the accommodation to be provided would be unsatisfactory in itself.

#### The Provision of Planning Obligations

- 4.3 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.
- 4.4 Giving due regard to the Council's approved SPD: Planning Obligations, and in compliance with the guidance contained in Circular 05/2005, PPG13 and the East Herts Local Plan policy IMP1, the applicants have presented an amended proposal with appropriate financial contributions under a section 106 agreement for open space provisions to compensate for the shortage of space within the scheme.
- 4.5 A financial contribution of £19,875 is also provided towards sustainable transport measures within the locality in accordance with the County Council's obligations toolkit.

#### Hard and soft Landscaping and incorporation of land off New Road

- 4.6 The proposal, as submitted indicates that the site now includes the area of land to the front of the site, to be enclosed by the rebuilt but reduced brick wall abutting New Road.
- 4.7 The land is proposed to be landscaped with a planted area to the front of the site with low level shrubs, with two specimen trees planted against the side boundary wall. The ground treatment of York stone and shingle enclosed by a cobble edge and iron bollards encloses the open space with two relocated parking spaces included to the far end of the area with further planting.

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- 4.8 The reduced and rebuilt wall to the front of the site, reusing the historic bricks follows the form of the existing wall with a shoulder course and brick on end finish that replicates the existing design of the wall.

#### **Parking Provision and Access**

- 4.9 Policy TR7 of the Local Plan identifies that car parking provision should be clearly laid out with visitor parking if appropriate in concert with a consideration for alternative modes of transport. The maximum provision for the 12 units required under the local plan standards for 2 and 3 bedroom units would be respectively 1.50 spaces and 2.25 spaces equating to 25 spaces overall.
- 4.10 However in applying the zonal approach adopted by East Herts Council the site is located within Zone 3, where 50%-75% of unfettered demand regarding parking provision is appropriate which equates to a provision of between 12.5 and 18.75 spaces.
- 4.11 In the revised scheme the provision of 15 allocated spaces, with 2 visitor parking spaces is therefore comfortably within this range.
- 4.12 The omission of the four parking spaces to the front of the building relieves the areas of hard surfacing surrounding the Maltings buildings and compliments the visual amenity of the front of the site improving the setting of the group of three malthouse buildings.
- 4.13 Given the proximity of the railway station and good bus routes, in concert with direct pedestrian access to the town centre and its services, the parking provision is acceptable.
- 4.14 The poor visibility of the access has been overcome by the demolition and partial rebuilding of the historic wall to the access. This would be rebuilt at a lower height, 600mm, on the widened access entrance.
- 4.15 The landscape garden area to the front of the site would positively enhance the setting of the listed Malting, and frames the view and approach into the site and is therefore welcomed.

#### **Retention of Historic Features**

- 4.16 All the historic and architectural features on the building have been retained and secured by the submission of a detailed amended and fully annotated plan 9123/P/101 in response to the concerns of Members and the Ancient Monuments Society.

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**5.0 Conclusion**

- 5.1 In summary, officers consider that the amended scheme has addressed the issues that Members raised at the Development Control Committee meeting on the 11 February 2009.
- 5.2 The amended proposal will result in a redevelopment of the site providing a high standard of design and internal layout with landscaped amenity area and relates well to, and preserves, the architectural details and historic character and appearance of the Listed Building and the surrounding built environment of the Ware Conservation Area.
- 5.3 Subject to the provisions of the s.106 obligation and the recommended conditions it is recommended that planning permission and listed building consent be granted.