

5b a) 3/11/0824/FP and b) 3/11/0825/LB - Change of use of 2. no. Class B1 office buildings to create 12. No 1 and 2 bed units at 7 and 8 Bluecoats Avenue, Hertford for Bluecoats Joint Venture (BJV)

Date of Receipt: a) 25.05.2011
b) 25.05.2011

Type: a) Full – Major
b) Listed Building - Other

Parish: HERTFORD

Ward: HERTFORD - CASTLE

RECOMMENDATION:

(a) That subject to the applicant entering into a legal obligation pursuant to S106 of the Town and Country Planning Act 1990 to cover the following matters:

1. The provision of £5,454 towards primary education
2. The provision of £2,946 towards secondary education
3. The provision of £96 towards youth
4. The provision of £1,236 towards libraries
5. The provision of £1,130 towards children and young people
6. The provision of £7,651 towards outdoor sports facilities.

The Director of Neighbourhood Services be authorised to **GRANT** planning permission under ref 3/11/0824/FP subject to the following conditions:

1. Three year time limit (1T121)
2. Approved plans (2E10) 'M950 P0, M910 P3, M900 P6, M901 P7, M902 P4, M930 P3, L500 P3, L110 P4, L130 P5, L100 P7, L101 P6, L102 P4, L200 P8, L201 P5, L202 P5, S800 P1, SK100 P1, Sk100 aP1, SK100 bP1, SK100 cP1, 11655BED04'
3. Refuse disposal facilities (2E24)
4. Communal TV facilities (2E28)
5. Retention of parking space (3V20)

a) 3/11/0824/FP, b) 3/11/0825/LB

6. Landscape design proposals (4P12) include b), e), f), i), j), k) and l).
7. Prior to the commencement of the development hereby permitted, details of the arrangements to be implemented to ensure the management and maintenance of any non-adopted common areas of the site, including the roads and parking areas, shall be submitted to and agreed in writing by the Local Planning Authority. Once agreed, those arrangements, which may constitute the formation of a Management Company, shall be implemented prior to the first occupation of any of the dwellings hereby permitted and thereafter remain implemented in perpetuity unless alternative arrangements are submitted to and agreed in writing by the Local Planning Authority.

Reason: To secure the long term maintenance of the common areas and roads and in the interest of residential and visual amenity.

Directives:

1. Other legislation
2. Street Name and Numbering (19SN4)
3. You are advised that in respect of Condition 6, officers consider that the Mill Road boundary should be enhanced by an appropriately designed wall.

Summary of Reasons 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 SD1, SD2, HSG1, TR1, TR7, TR14, EDE2, ENV1, ENV2, BH6 and PPS1, PPS3, PPS4 and PPS5. The balance of the considerations having regard to those policies is that permission should be granted.

- b) The Director of Neighbourhood Services be authorised to **GRANT** listed building consent subject to the following conditions:
 1. LB 3 Year time limit (2E14)
 2. Listed Building - new window (8L03)

a) 3/11/0824/FP, b) 3/11/0825/LB

3. Listed Building - new door (8L04)
4. Listed Building - new plasterwork (8L05)
5. Listed Building - new rainwater goods (8L09)
6. Listed Building – making good (8L10)

Summary of Reasons 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 PPS5. The balance of the considerations having regard to those policies is that listed building consent should be granted.

_____ (082411FP.LP)

1.0 Background:

- 1.1 The site lies towards the north-east of Hertford as shown on the attached Ordnance Survey Plan. The existing buildings form part of a group of 8 former school dormitory buildings, which are all now in office use.
- 1.2 To the North East and South East beyond Mill Road is the Tesco store and parking, to the North and South lie building 6 and Bluecoats House – both in office use. To the West are Bluecoat buildings 1- 4, which are also in office use. Vehicular access to the site is provided by Bluecoats Avenue to the West, accessed from the public highway off Mill Road to the northeastern corner of the wider Bluecoats site.
- 1.3 The application seeks planning permission and listed building consent for the change of use of these 2 buildings from Class B1 office use to Class C3 residential, proposing 12 units with 20 parking spaces. The internal layout has been amended to provide a layout respecting the historic plan form of the building, in response to initial concerns from the Councils Conservation Officer. The number of bedrooms has altered from 4 x 1 bed, 5 x 3 bed and 3 x 3 bed to 6 x 1 bed and 6 x 2 bed.

a) 3/11/0824/FP, b) 3/11/0825/LB

2.0 Site History:

- 2.1 The 8 dormitory buildings on Bluecoats were initially constructed for use as pupil boarding accommodation for Bluecoats School in the late 17th Century. This use continued until the site was vacated by the school in 1985, and has since been re-occupied by office, commercial and sheltered housing uses.
- 2.2 Looking specifically at buildings 7 and 8, planning permission and listed building consent to change the dormitory buildings to Class B1 office use was granted under lpa 3/85/1077/FP, 3/86/0420/RP and 3/85/1076/LB.
- 2.3 In the following years planning permission was granted on appeal in 1987 for the Tesco store on the schools former playing fields and the Mill Road link was constructed as part of this.
- 2.4 A single storey link between buildings 7 and 8 was granted under lpa 3/95/1365/FP and 3/95/1306/LB.
- 2.5 There have been no other applications of relevance, however an application for the change of use of the Gate House to the south west of the application site, within the former school site was granted permission for a change of use from B1 office to C3 dwellinghouse, under lpa 3/11/0165/FP.

3.0 Consultation Responses:

- 3.1 The Councils Conservation Section have commented that the revised layout would ensure that the historic fabric and layout remains and as such raise no objections to the proposal.
- 3.2 The County Planning Obligations Unit have confirmed that financial contributions are sought for primary and secondary education, youth and libraries.
- 3.3 Hertfordshire Highways have commented that they do not wish to restrict the grant of permission.
- 3.4 The Councils Housing Section have commented that as the number of units proposed is 12 and as the site is not over 0.5 hectares, the applicant does not need to provide an affordable housing element.
- 3.5 No comments have been received from the Councils Landscape or

a) 3/11/0824/FP, b) 3/11/0825/LB

Waste Section.

4.0 Town Council Representations:

4.1 Hertford Town Council raise an objection and comment:

'When this Committee objected to the change of use of the Gatehouse in the Bluecoats Avenue (application number 3/11/0165/FP) it expressed concern at the dangerous precedent which would be set, leading to creeping residential development in the area. Within weeks of that application being granted, it is incredibly disappointing to note another change of use application for the Bluecoats estate. Although Members appreciate that the market for office space was a difficult one, this remained an excellent area for business use, with the benefit of car parking space which was at a premium in Hertford and its location encouraged use of the town centre by office workers. If Hertford was to have a bright future beyond the economic downturn the town required a strong mix of residential, retail and business use to sustain its growing population. This application was contrary to those ingredients and severely undermines the continued use of this Bluecoats estate for offices - A use which every effort should be made to protect and maintain. Cllr Radford maintained a opposing view to that of the Committee.'

5.0 Other Representations:

5.1 The applications have been advertised by way of press notice, site notice and neighbour notification.

5.2 No letters of representation have been received.

6.0 Policy:

6.1 The relevant Local Plan policies in this application include the following:

SD1 - Sustainable development

SD2 - Settlement Hierarchy

HSG1 - Assessment of unallocated sites for housing development

TR1 - Traffic reduction in new developments

TR7 - car parking standards

TR14 - cycle facility provision (residential)

EDE2 - loss of employment sites

ENV1 – Design and environmental quality

ENV2 - Landscaping

BH6 - New development in Conservation Areas

a) 3/11/0824/FP, b) 3/11/0825/LB

6.2 The following National policy guidance is also of relevance :

PPS1 - Delivering Sustainable Development

PPS3 - Housing

PPS4 - Planning for Sustainable Economic Development

PPS5 - Planning for the Historic Environment

6.3 In addition, the Council's has relevant adopted Supplementary Planning Documents and Studies including:

- Affordable Housing and Lifetime Homes 2008
- Open Space, Sport and Recreation 2009
- Planning Obligations 2008
- Vehicle Parking Provision at New Developments 2008
- Employment Land and Policy Review and Retail and Town Centre Studies, 2008.

7.0 Considerations:

7.1 The main considerations in the determination of the planning application (3/11/0824/FP) relate to:

- The principle of residential conversion at the site and loss of B1 employment space;
- Impact upon neighbour's and future occupiers amenity;
- Highway implications;
- Impact upon the Conservation Area and setting of Listed Buildings; and,
- Other matters.

7.2 The main considerations in the determination of the listed building application (3/11/0825/LB) relate to:

- Impact upon the character and appearance of the Listed Building and their setting.

Principle of development / Loss of employment

7.3 The site is located within the town of Hertford wherein Policy SD2 of the Local Plan applies. This states that development will generally be concentrated in the main towns of the district, which includes Hertford. However the proposal would result in the loss of an existing employment site and one that was last in employment use. Policy EDE2

a) 3/11/0824/FP, b) 3/11/0825/LB

part a), states that in such situations, planning permission will only be permitted where the retention of the premises for employment use has been explored fully without success, evidence of which must be provided.

- 7.4 The application has been submitted with a Marketing Report. This outlines that the buildings became vacant in 2007 and have been marketed and offered as a whole or in part from late 2007. Such marketing has, and still does include prominent 'to let' advertisements boards at the main Bluecoats entrance and to the Mill Road side of the site, a mailing exercise to around 1050 companies and organisations within East Herts District and neighbouring Authorities; details of the buildings are recorded on the EGI Commercial Property Website and 3 other such websites; and details recorded on the then (in 2007) joint agents website (Davies & Co and Lambert Smith Hampton) – though more recently now solely Davies and Co; and a colour brochure has been produced.
- 7.5 Following on from such marketing, there was interest from 2 organisations - one rented the 1st floor of building 8 for 15 months and the same organisation rented the ground floor of building 8 for 12 months, but activated a tenant break clause and vacated the premises in September 2009. The ground floor of building 7 has been occupied on a short lease expiring in September 2011 and they are due to be re-located within one of the 6 remaining office buildings in Bluecoats.
- 7.6 There have been significant rental incentives of short term leases offered and the buildings are being offered at competitive local market rates, and yet the buildings remain largely vacant. Responses back from potential occupiers who have viewed the premises comment that they do not provide for open plan space and that there are limited disabled facilities. In accordance with part a) of Policy EDE2, I am content that the retention of the premises for employment use has been explored fully without success.

Impact upon neighbour's and future occupier's amenity

- 7.7 In respect of the impact on neighbours amenity, due to the internal layouts of the buildings, and the relationship with the neighbouring properties – currently in office use, there would be no unacceptable impact to neighbours from overlooking, loss of light or similar.
- 7.8 With regard to the levels of amenity that the development will provide for future occupiers, I am satisfied that the layout of the scheme maintains appropriate distances between adjoining buildings with acceptable internal layout of rooms and relationships with parking and

a) 3/11/0824/FP, b) 3/11/0825/LB

amenity areas, to result in an acceptable degree of amenity being achieved. No additional boundary enclosures that could harm the setting of the listed buildings are required to secure adequate privacy and amenity.

Highway matters

- 7.9 As confirmed by Herts Highways, there are no objections in principle to the proposed development which makes use of the existing car parking and access from the public highway. It is noted that the proposal could well result in a reduction in traffic movements, particularly given the sustainable location close to the town centre, other local amenities and public transport.
- 7.10 Internally the vehicle turning areas are acceptable and in respect of parking, the 20 spaces for the 12 dwellings is considered acceptable and generally in line with the Councils parking standards, which outlines that the maximum space provision to be 16.5 spaces. Although there is an over provision, the spaces are existing on site and the layout does reduce the amount of hard surfacing around the building and given that the over provision is slight, it is considered acceptable in this case.

Impact upon the Conservation Area / character and appearance of Listed Buildings and their setting

- 7.11 In terms of the impact to the listed buildings and their setting, the amended plans would ensure that the historic plan form of the buildings is retained with no loss of historic fabric. Furthermore, the proposed treatment of elevations is in keeping with the character of the building and overall the development would be sympathetic to the character and appearance of the buildings and their setting.
- 7.12 The removal of some of the extensive hard surfacing and the introduction of an internal soft landscaped amenity area, together with a condition to secure improvements to the Mill Road boundary treatment (currently unattractive fencing), will improve the character and appearance of the Conservation Area and have a positive impact upon the setting of the listed buildings.
- 7.13 The residential use can be achieved satisfactorily with no requirement for additional boundary division that would disrupt the pattern of the site and harm the setting of this important town group.

a) 3/11/0824/FP, b) 3/11/0825/LB

Other matters

- 7.14 In terms of S106 matters, Officers consider that, in order to satisfactorily mitigate for the impact of the new residential development, financial contributions would be needed towards open space provision (children and young people and outdoor sports facilities); primary education; secondary education; youth and library services. The proposal has been assessed in the light of Reg.122 of the Community Infrastructure Levy Regulations (2010), and it is considered that such contributions meet the relevant tests in the legislation.
- 7.15 There is no requirement for affordable housing, (as per Policies HSG3 and HGS4) as the site does not propose 15 or more dwellings nor is it over 0.5 hectares. The proposal is for 12 dwellings (or 13 if including the recent approved conversion of the Gate House to the south). This number is considered to provide a comfortable layout of units within the listed buildings.
- 7.16 A request for affordable housing would, however, be triggered if other buildings in the site were converted, as the threshold taken cumulatively with this application and that approved at the Gate House, would be exceeded.

8.0 Conclusion:

- 8.1 To conclude, I consider that the principle of residential development is accepted at this site and that the retention of the premises for employment use has been explored fully without success.
- 8.2 The scale and layout of the dwellings is sympathetic to the listed buildings and the development would not create an adverse impact upon the amenity of neighbours or future occupiers, nor would it create an adverse highway safety impact. The proposal has been considered with regard to the policies of the Development Plan (East of England Plan, Hertfordshire County Structure Plan and East Herts Local Plan).
- 8.3 The balance of the considerations having regard to those policies is that planning permission and listed building consent should be granted subject to the financial contributions and conditions set out at the commencement of this report.