

4/01389/15/LBC - CCONVERSION OF EXISTING BUILDINGS TO CREATE 2 X TWO BEDROOM AND 1 X THREE BEDROOM FLATS. CONSTRUCTION OF 2 TWO BEDROOM 1.5 STOREY DWELLINGS TO THE REAR OF THE PROPERTY WITH ASSOCIATED ANCILLARY WORKS..
44 HIGH STREET, KINGS LANGLEY, WD4 9HT.
APPLICANT: Mr Cain.

[Case Officer - Nigel Gibbs]

Summary

The application is recommended for approval.

The proposal provides an opportunity to reinvigorate this empty listed building. There will be some inevitable change and harm to its internal character through the subdivision with the overall benefit resulting from its re use and reinvigoration, with the effects controlled through the imposition of conditions.

Background

The application was considered by the DCC at the meeting held on 9 July 2015 in association with Application 4/ 01388/15/FUL.

A decision upon the application was deferred in conjunction with Application 4/01388/15/FUL.

Additional Representations

See Additional Representations Section on application 4/01388/15FUL.

Considerations

None of the reasons why DCC deferred this application directly relates to the direct effect upon the listed building.

Subject to the imposition of conditions there are no objections to the proposal.

RECOMMENDATION - That planning permission be **GRANTED** for the reasons referred to above and subject to the following conditions:

- 1 The works for which this consent is granted shall be begun before the expiration of three years from the date of this consent.**

Reason: To comply with section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

- 2 Notwithstanding the submitted details no works hereby approved shall commence until full schedule of all materials including samples to be used in the refurbishment and alteration of all internal and external parts of the listed building including replacement of the existing materials shall have been submitted to and approved in writing by the local planning authority. Works shall be carried out in accordance with**

the approved details.

Reason: To ensure that the works are compatible with the setting of the existing listed building to accord with the requirements of Policy CS27 of the Dacorum Core Strategy and the saved Policy 119 of the Dacorum Borough Local Plan.

- 3 Notwithstanding the submitted details no works hereby approved shall commence until full schedule of all internal works are submitted to the local planning authority. The works shall be carried out in accordance with the approved details.**

Reason: To ensure that the works are compatible with the setting of the existing listed building to accord with the requirements of Policy CS27 of the Dacorum Core Strategy and the saved Policy 119 of the Dacorum Borough Local Plan.

- 4 Notwithstanding the submitted details no works shall be undertaken to reduce the external door openings of the former stable block attached to the existing (listed) building until details of the brick mortar, mix and brick bonding to be used have been submitted to and approved in writing by the Local Planning Authority. The works to the openings shall then be carried out in accordance with the approved details.**

Reason: To ensure that the works are compatible with the setting of the existing listed building to accord with the requirements of Policy CS27 of the Dacorum Core Strategy and the saved Policy 119 of the Dacorum Borough Local Plan.

- 5 Before the commencement of the development hereby permitted and notwithstanding the submitted details, a full and detailed schedule of all external and internal changes to the existing (listed) building is to be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out fully in accordance with the approved details.**

Reason: To ensure that the works are compatible with the setting of the existing listed building to accord with the requirements of Policy CS27 of the Dacorum Core Strategy and the saved Policy 119 of the Dacorum Borough Local Plan.

- 6 Notwithstanding the submitted details hereby approved no services pipework shall be installed on the exterior elevations of the existing (listed) building, and any attached structures, without details (to include scaled elevation drawing to proposed location) having been submitted to and approved in writing by the Local Planning Authority prior to undertaking the works. The works shall then be carried out in accordance with the approved details.**

Reason: To ensure that the works are compatible with the setting of the existing listed building to accord with the requirements of Policy CS27 of the Dacorum Core Strategy and the saved Policy 119 of the Dacorum Borough Local Plan.

- 7 **Notwithstanding the submitted details hereby approved no works shall be commenced until full details of the design and finish of window(s), roof- lights and door(s) (external and internal) to the existing (listed) building, and attached structures, have been submitted and approved in writing by the Local Planning Authority. The details shall include scaled drawings of the window (s) and door(s) at a scale of 1:10 and are to be accompanied by horizontal and vertical cross sections, shown in relation to the surrounding fabric, along with moulding and glazing bar detail shown at 1:2 scale. The works shall then be carried out in accordance with the approved details.**

Reason: To ensure that the works are compatible with the setting of the existing listed building to accord with the requirements of Policy CS27 of the Dacorum Core Strategy and the saved Policy 119 of the Dacorum Borough Local Plan.

- 8 **Notwithstanding the submitted details hereby approved no works shall be commenced until full details of the design and finish of window(s), roof- lights and door(s) (external and internal) to the existing (listed) building, and attached structures, have been submitted and approved in writing by the Local Planning Authority. The details shall include scaled drawings of the window (s) and door(s) at a scale of 1:10 and are to be accompanied by horizontal and vertical cross sections, shown in relation to the surrounding fabric, along with moulding and glazing bar detail shown at 1:2 scale. The works shall then be carried out in accordance with the approved details.**

Reason: To ensure that the works are compatible with the setting of the existing listed building to accord with the requirements of Policy CS27 of the Dacorum Core Strategy and the saved Policy 119 of the Dacorum Borough Local Plan.

- 9 **Notwithstanding the submitted details hereby approved all rainwater goods are to be in metal with a black painted finish.**

Reason: To ensure that the works are compatible with the setting of the existing listed building to accord with the requirements of Policy CS27 of the Dacorum Core Strategy and the saved Policy 119 of the Dacorum Borough Local Plan.

- 10 **Notwithstanding the submitted details hereby approved the historic fabric of the building where damaged, shall be repaired on a 'like for like' basis, to match the original.**

Reason: To ensure that the works are compatible with the setting of the existing listed building to accord with the requirements of Policy CS27 of the Dacorum Core Strategy and the saved Policy 119 of the Dacorum Borough Local Plan.

- 11 **Subject to the requirements of the other condition of this consent the works hereby approved shall be carried out in accordance with the following drawings:**

**980 AL01 to 12
980 SL 01 to 02**

Reason: For the avoidance of doubt.

ARTICLE 31 STATEMENT

Listed building consent has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012

ORIGINAL REPORT TO THE DCC : 9 JULY 2015

Summary

The application is recommended for approval.

The proposal provides an opportunity to reinvigorate this empty listed building. There will be some inevitable change and harm to its internal character through the subdivision with the overall benefit resulting from its re use and reinvigoration, with the effects controlled through the imposition of conditions.

Site Description

See Report 4/01388/14/FUL.

Proposal

This is for the building's conversion into 4 flats and its associated renovation. This comprises of one 1 bedroom, 2 two bedroom and one 3 bedroom flats.

Part of the main loft void will be converted into residential use and the whole building will be re-roofed. There are no planned works to the basement/ cellar. The conversion would incorporate sound and fire insulation.

A copy of the Revised Viability Assessment is at Annex A for Report 4/01388/14/FUL.

For clarification the Applicant recently confirmed:

- Viability: Over 50 % of the construction costs are to reinvigorate no. 44. The 4 units and 3 houses at the rear enable this.
- Buildings at Risk : Recent property valuation. A specialist subsidence insurance at great expense has been necessary after the latest surveyor's valuation report to the Applicant's lenders. The surveyor for the lender was extremely concerned at the property's structural condition.
- The surveyors report was so critical that the completion on the house almost didn't happen as several lenders were put off by the issues that 44 High Street currently faces.
- The neighbours next door are also experiencing cracking from the joining party wall and are worried at this continuing with roof tiles sliding and damaging their property.

Referral to Committee

The application is referred to the Development Control Committee due to due to the contrary views of Kings Langley Parish Council regarding the parallel Planning Application

Planning History

See Report 4/ 01388/14/FUL.

Policies

National Policy Guidance

National Planning Policy Framework (NPPF)

Adopted Core Strategy

CS27 - Quality of the Historic Environment

Saved Policies of the Dacorum Borough Local Plan

Policy 119

Supplementary Planning Guidance / Documents
Environmental Guidelines (May 2004)
Representations

Kings Langley Parish Council

The Council objects to this application as it considers that the development would be an over-cramping of the site and that there is insufficient parking provision for the number of dwellings.

Conservation & Design

Initial Advice

The property is Grade II listed and dates to the 17th century or earlier, it has a timber frame core with the front in red brick (19th century) and comprises various phases of construction. At its north end is a gated carriageway entrance to the rear of the site. The property lies in a prominent corner position on the High Street, within the Kings Langley Conservation Area. To the rear, and adjoining the house and forming part of the listed building is a small stable block. The garden extends to the rear and the ground level rises up considerably.

The property is of a good size and has functioned as a family home during the 20th century, it has been used in part as offices in the past and as flats but is currently one unit.

The application includes a detailed Historic Building Appraisal which adequately details the history, fabric and development of the listed building and assesses the impact of the proposals on the listed building.

The property is structurally sound and whilst in need of redecoration and repair internally CO does not consider it to be 'at risk' at this present time. The applicants have submitted a viability statement attempting to justify its conversion to 4 units and the construction of 3 further units in the rear garden, this statement lacks substance and CO would like to see a viability statement that is backed up by more facts / figures. However it has been accepted at the pre-application stage that the property is fairly large and there is scope to convert it to separate residential units. At the pre-app stage CO raised concerns regarding the conversion of the property to 5 units and the impact upon the fabric and character of the listed building; now a total of 4 units are proposed, 3 units in the house and 1 unit in the stable block.

Following an extensive amount of pre-application discussions the current application entails limited physical alteration to the listed building however the subdivision will naturally entail blocking up of openings, creation of new openings and insertion of fire / sound proofing measures – all of which will have some degree of harmful impact upon the internal character of the listed building. The external appearance of the house will remain unaltered, existing windows and doors are all proposed to be retained and renovated (no replacement is proposed).

There are a number of historic doors within the property, a couple with older spring latches and some vertical board doors. It is likely that the creation of four separate flats

will entail the need to block many of these openings up, insert fireproof partitions / doors etc. which will harm the character and internal fittings of the listed building.

I would like to see the door between rooms F1 and F2 (both flat 3?) retained, it is a late 18th century panelled door with a spring latch and if within the same flat I believe this could be retained in situ and nailed shut if necessary.

The cupboard in room F4 is to be retained and the former stairs (now part of a cupboard) leading from G6 to F5 will be used again, this re-instates the older staircase within the oldest part of the property. Other historic doors and door frames can potentially be fireproofed and re-used rather than replaced.

It is recommended the roof-lights to the rear elevation (for the attic conversion) are either a single roof-light (enlarged) or the two roof-lights are placed further apart. External alterations to the stable block are proposed, inserting windows where there are doors currently existing. In principle this is acceptable as the building will be put fully into residential use thereby keeping it in a better state of repair.

The proposed fenestration does seem rather muddled and the proposed French doors and side lights to the large front opening is overly domestic in character and should be simplified. It is suggested the full opening is infilled with framed glazing, with the central doors opening and side lights – no glazing bars. The front door can have glazing in its upper part but a reduced amount. It would reduce the domestic appearance of this converted stable building if the door closest to the house could also feature a fully glazed window (non-opening) or remain as a timber door.

The other window within the upper part of the existing door opening is acceptable but the glazing bars should be omitted or reduced to a single glazing bar.

The rear development. 44 High Street has a good sized garden area to the rear, it also extends to the west to the rear of 46 – 50 High Street, the land level rises up considerably to the rear. Whilst any development is unlikely to be easily visible from the street scene it may be visible from the car park on Langley Hill and due to the raised levels to the rear any development will have an elevated position. The impact upon the setting of the Grade II* Langley House will also need to be considered, following a site visit I did not consider the new development would have a neutral impact in terms of its harm to the setting of Langley House. In terms of design CO appreciates the reason for hipping the roof ends etc to reduce bulk however CO considers the design could be improved and probably the flint panels omitted. The blank east elevation of the westernmost property is unfortunate and the dormer looks too cramped in this position.

Cycle and refuse storage has been indicated on the site plan adjacent to the rear of the stable building but not shown on elevation plans. Can this be clarified.

Whilst the principle of converting 44 High Street is acceptable the subdivision of the main house into four separate units is considered to harm the layout and character of the interior of this grade II listed building. However, CO is aware that the listed building has been vacant for a few years and is beginning to fall into a state of disrepair; furthermore it seems as if attempts to sell the property as one unit have not been successful; whilst neither of these are a reason to grant consent they could provide

weight to the proposals. The NPPF requires the Council to weigh up any harm to the listed building against any public benefit the proposed conversion may provide (para. 134).

Suggest an enhanced viability statement would help justify the harm to the grade II listed building.

The revisions suggested above to the fenestration of the stable block and a reconsideration of the design / appearance of the rear development would be welcomed.

Response to the Revised Viability Assessment

If the suggested amendments regarding the listed building are provided (as per the applicant's additional submission) the CO would be happy to recommend approval of the proposed scheme (subject to a number of conditions).

Historic England

The proposed works of demolition would be limited and would not seem to affect the more significant element of the building. The subdivision of the house into 4 flats would substantially affect its character.

Langley House is a substantial building whose setting appears to have been eroded by modern development. Development to the rear would seem likely to erode it further, to the detriment of the house's character.

The NPPF provides clear policies for conservation of the historic environment and of designated heritage assets in particular 7, 14, 17, 131 132.

The Council should consider whether the proposal work would harm its significance, and whether the development to its rear would harm that of Langley House. Should either proposal entail such harm the Council should weigh that harm against such public benefit as the proposals might provide, in accordance with the Framework (NPPF 134)

Ancient Monuments Society/ Council for British Archaeology/ Society for the Protection of Ancient Buildings/ The Georgian Group/ The Victorian Society

No responses.

Response to Publicity / Site Notice/ Neighbour Notification

See Report 4/ 01388/14/FUL.

Considerations

This focuses upon the effect upon the character and appearance of the listed building.

This is with due regard to the expectations to Policies CS 27 and saved DBLP Policy 119.

The building's subdivision and resultant reinvigoration of the site is supported in principle by the Conservation Officer.

However, as clarified by the CO this is not a straightforward proposal. In considering the application due weight should be given to the respective specialist advice of

Historic England (HE) and the LPA's Conservation Officer (CO).

It is understood that HE's representative has not visited the site. HE has not been consulted upon the Revised Viability Statement.

As previously clarified the proposed development of the rear of the site is enabling development necessary to facilitate the conversion.

Key Issues/ Outcomes are the following with regard to the CO's specific advice :

1. Condition of the Building.

According to the CO the property is structurally sound and whilst in need of redecoration and repair internally the CO does not consider it to be presently 'at risk'. The Applicant has since confirmed the outcome the subsidence assessment and has a different view.

2. Principle.

Whilst the principle of converting 44 High Street is acceptable the subdivision of the main house into four separate units, the CO's initial assessment considered that it would harm the layout and character of the interior of this Grade II listed building. However see below.

3. Initial Viability Assessment.

The CO considered this lacked substance to justify its conversion to 4 units and the construction of 3 further units in the rear garden. There was a request for a more detailed viability statement supported by more facts / figures. However it was accepted at the pre-application stage that the property is fairly large and there would be scope to convert it to separate residential units.

4. A Way Forward.

As observed by the CO the listed building has been vacant for a few years and is beginning to fall into a state of disrepair and attempts to sell the property as one unit has not apparently been successful.

Therefore CO noted whilst neither of these are a reason to approve the scheme they could provide weight to the proposals. The NPPF requires the Council to weigh up any harm to the listed building against any public benefit the proposed conversion may provide (para. 134). It was therefore concluded that an enhanced viability statement would help justify the harm to the grade II listed building.

5. Revised Viability Statement.

The CO acknowledges the viability issues giving weight to a generally positive overall approach to the proposals.

6. Internal Changes to the Listed Building.

As explained by the CO the current application entails limited physical alteration to the listed building.

However the subdivision will involve blocking up of openings, the creation of new

openings and insertion of fire / sound proofing measures , all of which will have some degree of harmful impact upon the internal character of the listed building. With some 'fine tuning 'in reconciling the heritage implications with Building Regulations (Fire. Noise)- which can be relaxed for listed buildings- there are no overriding objections. Conditions aim to address these circumstances.

7. External Changes to the Listed Building.

The external appearance of the main house will remain unaltered, existing windows and doors are all proposed to be retained and renovated and no replacements are proposed. The proposed alterations to the stable block require some re-evaluation but are not fundamental. Conditions can address these.

8. Conclusion

It is acknowledged that Historic England observe that the subdivision of the house into 4 flats would substantially affect its character. It is understood that HE's representative has not visited the site.

There are no fundamental objections to the conversion. This with due weight given to the observations of the Conservation Officer, acknowledgement of some inevitable harm resulting from the subdivision and the opportunity to impose suitable conditions.