Yorkshire Dales National Park Authority

Application Code: R/67/76C
Committee Date: 12/02/2019
Location: Former Church of England School and Good Shepherd Church, Carlton in Coverdale

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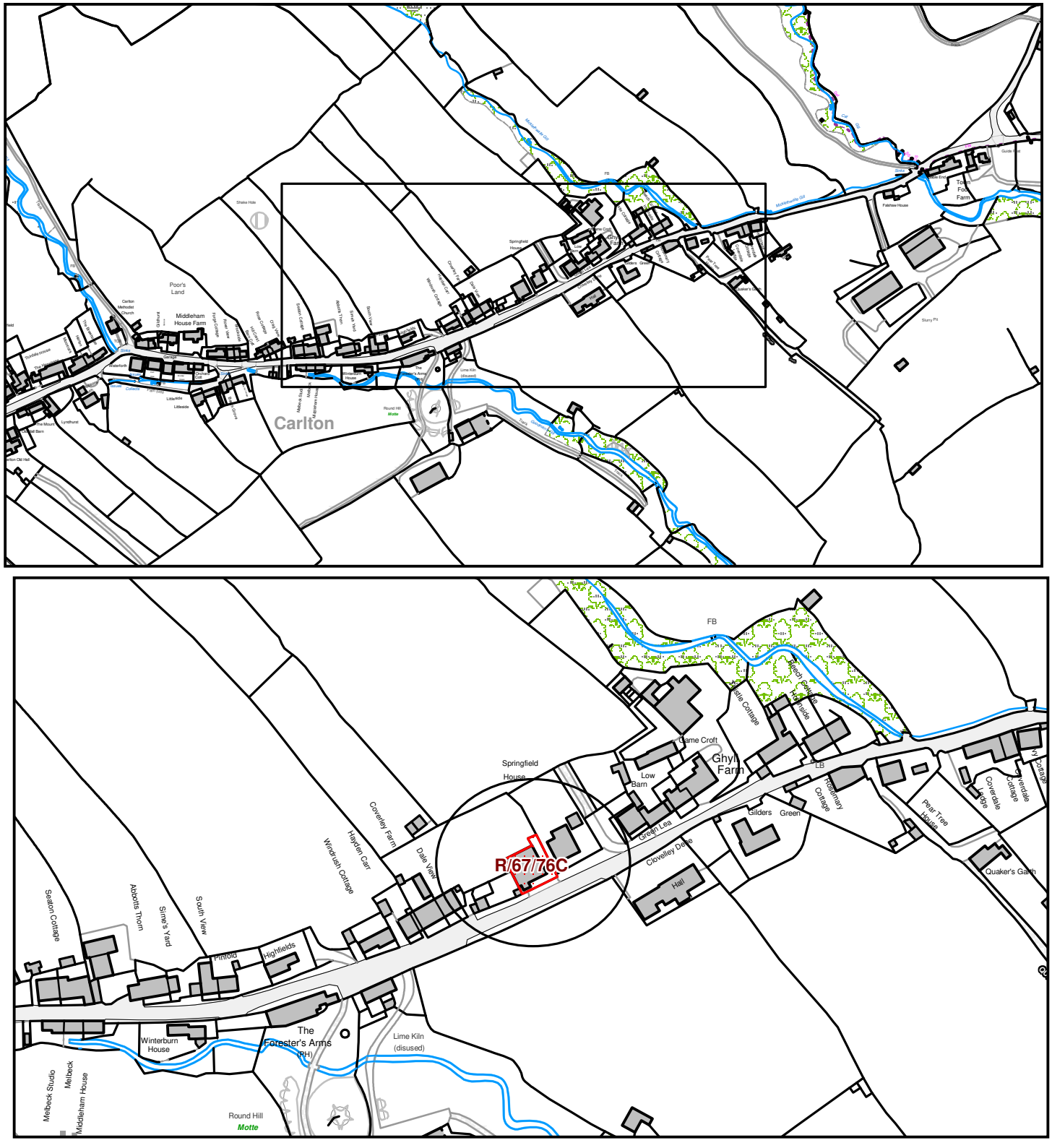

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Schedule No:15

Application No:	R/67/76C		
District:	Richmondshire		
Parish:	Carlton Town		
Applicant's Name:	Mr A Dent,		
Grid Ref:	SE06858472		
Received by YDNP:	23/11/2018	**Officer:**	Michelle Clowes

PROPOSAL: **full planning permission for change of use of former School and Church into 2no. local occupancy dwellings or holiday lets (retrospective)**

LOCATION: **Former Church of England School and Good Shepherd Church, Carlton in Coverdale**

CONSULTEES

Carlton Town PC	Full support of the proposals.
Penhill Ward	No comments.
NYCC - Area 1 Richmond Highway Depot	No objection.
North Yorkshire Building Control	No comments.
Senior Listed Building Officer	The proposed replacement window units do not respect the original appearance of the building as well as the local vernacular and alternatives should be sought.
Fire & Rescue Service	No objection.
CEHO Richmondshire DC	No objection.

PUBLIC RESPONSES

None to date.

RELEVANT PLANNING POLICIES

L1(15) - Heritage assets

L2(15) - Conversion of traditional building - acceptable uses

L3(15) - Conversion of traditional buildings - building treatment

SP1(15) - Presumption in favour of Sustainable Development

SP2(15) - National Park Purposes

SP4(15) - Development Quality

OFFICER OBSERVATIONS

Schedule No:15

REASON FOR COMMITTEE CONSIDERATION
This application is reported to the Planning Committee for the following reason; the recommendation of the Parish Council is contrary to the decision that the Head of Development Management proposes to take.

APPLICATION SITE
This application relates to the former Church of England School and Good Shepherd Church in Carlton in Coverdale. The original chapel was built in 1835 and extended in 1875 to add the schoolroom. The building is rectangular in plan form, comprising two pitched roof blocks. It is of stone construction with a slated roof and displays a number of notable features including date stones, bell tower, lancet windows, stone finials and external railings to the front.

PROPOSAL
Retrospective permission is sought for the conversion of the existing building into 2no.local occupancy dwellings or holiday lets.

RELEVANT PLANNING HISTORY
Planning permission was originally granted for the conversion of the building into 2no. local needs dwellings in 2011. The applicant bought the building in 2012 and started conversion works in 2014. However, the works undertaken were not in compliance with the approved plans and were in breach of the original conditions. As a result, the works are unauthorised and the previous permission has been lost. The current application seeks to regularise the development that has taken place on site.

KEY ISSUES:
-the principle of development
-design & impact on character and appearance of area
-impact on neighbours
-access & car parking

THE PRINCIPLE OF DEVELOPMENT
The National Planning Policy Framework (NPPF 2018) sets out the purpose of the planning system: to contribute to the achievement of sustainable development. It directs planning authorities to avoid the development of isolated homes in the countryside unless certain circumstances apply. The circumstances listed include - "the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets" and "the development would re-use redundant or disused buildings and enhance its immediate setting."

The Yorkshire Dales Local Plan (2015 - 2030) aims to deliver sustainable development in the National Park context. It aims to achieve the conservation and enhancement of traditional buildings (heritage assets) by allowing them to be adapted or converted to new uses, providing the building and its landscape has the capacity to absorb them.

Policy L1 considers development affecting heritage assets. Traditional buildings may be designated as Listed Buildings or are considered to be ‘heritage assets’ despite not being designated. Proposals affecting non designated heritage assets that are demonstrably of equivalent significance to designated heritage assets will be treated as though they were designated for the purposes of the policy.

Policy L2 is a strategic spatial planning policy (i.e. it governs where development ‘should

go'). It allows traditional buildings to be changed to residential and employment uses in certain locations (in existing settlements, building groups, or suitable roadside locations). Intensive uses will not be appropriate in buildings that are isolated in the landscape and a change of use only allowed in isolated buildings where there would be no material alteration to the exterior of the building or its surroundings.

Policy L3 considers the details of the conversion works. Proposals will not be allowed where they undermine the architectural and historic character of the traditional building and its landscape setting. The building must have the physical capacity to accommodate the new use without significant extension or alteration or requiring new ancillary buildings.

A proposal to convert a traditional building to a new use must satisfy the requirements of all three policies.

As the building in question was constructed prior to the 20th century and has historical and architectural merit, it is considered to be a traditional building for the purposes of this policy. It is quite a unique building in that it has been used both as a Chapel and School has been a significant building in Carlton and Coverdale since 1835. The building has heritage significance deriving from its history and architectural treatment but is not of equivalent significance to a listed building. Nevertheless the building is considered to be a non - designated heritage asset.

The building is located within Carlton village which is classed as a service village within the local plan settlement hierarchy (policy SP3). The building and its curtilage also adjoin the main highway through the village. As such, the proposal would in principle, meet the objectives of policy L2 of the adopted Local Plan (2015 – 2030).

Paragraph 189 of the National Planning Policy Framework (NPPF) states that "in determining applications, Local Planning Authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting." The conversion of a local heritage asset such as the building in question should be informed by a proportionate assessment of its significance. Neither the works undertaken, nor the current planning application have been adequately informed by such an assessment. The proposal fails to comply with the NPPF in this regard.

DESIGN
Criterion e) of policy L3 of the adopted Local Plan (2015 – 2030) requires traditional buildings to be capable of conversion with no more than minor structural work. This is a very characteristic Dale's building which was in good structural order and retained its historic appearance externally, prior to the conversion works taking place. The original planning permission approved a layout that resulted in 2 local needs dwellings side by side facing the highway. However, the applicant preferred to create 1 residential unit at the front and 1 at the back, following the ridge line of each section of the building. This prevented the need to punctuate the internal dividing wall between the former Church and School. The revised layout is considered to be acceptable in principle.

The conversion works undertaken, work with the existing structure without the need for any additional extension. Likewise, they make use of the existing window openings. However, the applicant has removed the historic windows and frames dating from 1875 and replaced them with upvc window units.

Condition no.11 of the original approval stated, "all new window frames and doors shall be

made of timber and shall be painted/stained a colour that will first be agreed in writing by the Local Planning Authority and shall be so maintained thereafter." The wording of the condition appears to accept that replacement windows would be required to serve the new use of the building. However, it is clear that the windows should be made of timber.

The Design Guide advises that "purpose – made, good quality timber doors and window frames are important elements for retaining the historic character of a traditional building, whereas upvc is to be avoided." It goes on to state, "doors and window frames should be made of timber; their design and finish should avoid being overly domestic in style."

Due to the age and uses of the building there were a variety of window frame designs which contributed to the character of the building. The principal southern elevation of the building which faces the main road through the village previously contained simple, narrow lancet windows of 3 lights, separated by very thin iron glazing bars, lacking any proper frame. These basic windows were replacements of an earlier style of window and their simplicity was reflective of the original use of the building as a Chapel.

The new windows in contrast have very thick upvc frames including 2 top opening lights within each window. This results in too much frame in relation to the amount of glazing and this heaviness is compounded by the use of a pronounced yellow coloured upvc. Consequently, the original character and appearance of the building has not been reflected in the window design. The replacement upvc windows now detract from the appearance of the lancet windows to the south (front) elevation of the Chapel. The thick frames, undermine the original, vertical emphasis of these tall and narrow windows and are not sympathetic to their original appearance.

In addition to the lancet windows, a number of gothic pointed – arch windows are found in the north - western and north – eastern elevations of the Chapel and School room. Prior to the conversion works these openings previously contained elegant timber framed sash windows with narrow and splayed glazing bars dating from the refurbishment of the building in 1875. These windows have been replaced with upvc windows including 2 top opening lights and no glazing bars, resulting in a much more modern, domestic appearance than is considered appropriate for this heritage asset. The replacement of these windows further diminishes the character and heritage significance of the building. The replacement windows have not conserved or enhanced the significance of the building as required by policy L1 of the adopted Local Plan (2015 – 2030).

The applicant has been advised that the current windows and frames should be replaced with a more appropriate design in either timber or aluminium, given the narrowness of the lancet windows. An exact like for like copy of the original lancet windows is not expected given their lack of framing for a property that is to become permanently occupied. However, it is considered reasonable that a design which is as close as possible to the original is installed to ensure that the original character of this important local building is maintained.

The applicant has declined to replace the window frames and has put forward a case for the retention of the upvc windows as installed. Firstly, he originally sought a quote for timber windows but at a price of circa £50,000 for the whole building considered that it was not economically viable to pursue this material choice. Secondly, it has been suggested that the upvc frames were actually thinner than timber frames that could be sourced by 0.3m. According to the applicant this has ensured that the windows are of the correct size when open, in order to allow the necessary room for escape in the event of a fire. A letter

from the applicant's Building Surveyor states that, "the timber frame sizes quoted would not permit the opening size to meet the building regulation requirement." However, this comment is in respect of 1 particular timber window design shown to the Building Surveyor at that time and not in respect of timber windows generally. Alternative timber windows with more slender frames could have been sourced from a different supplier.

In respect of this matter, independent advice has been sought from North Yorkshire Building Control Partnership. They have confirmed that their remit is to check compliance with the building regulations rather than to suggest alternatives that might be more appropriate in a historic building situation. They have advised that each room above floor level needs 1 escapable window to be building regulation compliant. In this case bedrooms 1 and 2 have been provided with 2 openable windows to escapable standard, in excess of the requirement. This means that the impact of the window frames on the prominent front elevation of the building could have been reduced by not having the upvc openable frames as installed. Equally, the provision of escapable windows is not the only way of complying with the building regulation requirement for means of escape. An alternative option would have been to have a protected route from the bedrooms into a sterile area such as a landing or hallway that leads down to an external door. This requires the provision of 20 minute fire doors. As the submitted floorplans for unit 1 indicate, this was a viable alternative method of complying with the regulations, as all of the bedrooms open out onto a landing that leads downstairs to the external doorway. As this unit is the one that contains the publicly prominent elevations of the building, it is clear that the building regulations did not force the applicant into the current upvc windows being the only option for the site.

The applicant has also suggested that upvc windows have been allowed in 3 other historic buildings within the National Park including Gayle and Askrigg Chapel's and the Temperance Hall at Askrigg. The planning history for these sites reveals that no consent has been granted for replacement windows at Gayle Chapel but that permission was granted for the replacements at Askrigg Chapel and the Temperance Hall. The before and after pictures of the building reveal that the replacements accurately replicate the windows that were there previously, are of a high quality and replicate the features of the original windows including thin frames and glazing bars. It is therefore considered that none of these sites set a precedent for the consideration of this application.

In addition, the applicant has advised that 51 out of the 91 properties in Carlton village have upvc windows and that this prevalence of upvc windows in other properties within the village is a material consideration. This statement has not been checked by Officers however, 56% of properties does not result in a dominance of upvc as it is just over half of the total number of properties. It is considered that this argument is a red herring as the issue is the effect the upvc frames have on the heritage significance of this important building.

A pragmatic approach has been sought by Officers in dealing with this application by suggesting that although upvc windows should not be installed in historic buildings such as this one as a matter of principle, it is accepted that in this instance the rear of the building is not visible from any public vantage point. The harmful impact on the appearance of the building is therefore limited to the front and side elevations. As a result, it was suggested to the applicant that he consider replacing the windows on the front and side elevations of the building with slender timber or aluminium windows, whilst the existing upvc windows on the rear could be retained. The applicant has declined this compromise position and wishes to retain the upvc windows as installed throughout.

The replacement windows are not sensitive to the traditional character and appearance of the historic building and as such have failed to preserve or enhance the character of the former Chapel and School as required by criterion b of policy L3 of the adopted Local Plan.

IMPACT ON AMENITY OF NEIGHBOURS
Springfield House is a residential property that adjoins the application site to the north east. The side elevation of the former chapel contains 2 arched windows that look towards the flank elevation of Springfield House. These windows have been obscured glazed which would serve to protect the privacy afforded to the adjacent property. Any replacement windows would also be required to be obscured glazed.

Dales View is located over 27m to the south – east resulting in sufficient separation distance to prevent any loss of privacy. The scheme is considered to be acceptable in terms of its impact on neighbouring amenity in accordance with criterion n of policy SP4 of the adopted Local Plan (2015 – 2030).

ACCESS & CAR PARKING
The application site has limited land to provide off street car parking. The curtilage that is available is set behind a low stone wall with historic railings above, both of which are above the level of the adjacent highway. It would be detrimental to the character of the building to remove a section of this wall to make way for car parking. However, there is sufficient room for on – street car parking to serve both properties. The Highway Authority has no objection to the development as proposed and in this regard the scheme would be compliant with criterion k of policy SP4 of the Local Plan (2015 – 2030).

ANALYSIS AND MATERIAL CONSIDERATIONS
The Good Shepherd is an important building in the social history of the village and Coverdale and is considered to be an non - designated heritage asset. Its attractive architecture and character has been significantly diminished by the removal of its original windows and introduction of modern upvc window units. Although the building is suitable for conversion to 2 local occupancy dwellings or holiday lets in principle, the manner in which the conversion works have taken place, namely the substitution of historic windows with modern upvc replacements has significantly eroded the character of the building and the contribution that it makes to the appearance of the village.

The NPPF is clear in its advice at paragraph 172 that the conservation and enhancement of cultural heritage is an important consideration and should be given great weight in National Parks. Policies SP4 and L2 and L3 further seek to ensure that new development conserves the historic environment and makes a positive contribution to its setting. The replacement windows, particularly those on the front and side elevations of the building due to their modern design, shiny material, yellow colouration and chunky frames are significantly harmful to the historic building and undermines the contribution that the building makes to the fabric of the village and the wider cultural heritage of the National Park. The application is considered to be contrary to policies SP1, SP2, SP4, L1, L2 and L3 of the adopted Yorkshire Dales Local Plan (2015-2030) and guidance contained within the NPPF (2018) at paragraphs 172 and 189.

RECOMMENDATION

That planning permission be refused for reasons based on the following:

1) In the opinion of the Local Planning Authority the retrospective conversion works,

namely the substitution of historic windows on the front and side elevations with modern upvc replacements, has harmed the significance and character of the non - designated heritage asset and diminished the contribution that it makes to the appearance of the streetscene and the cultural heritage of the National Park. The proposal is contrary to the Statutory Purposes of the National Park (S.5 National parks and Access to Countryside Act 1949), policies SP1, SP2, SP4, L1 and L3 of the adopted Yorkshire Dales Local Plan (2015 -2030) and paragraphs 172 and 189 of the National Planning Policy Framework (2018).

S.106 LEGAL AGREEMENT INFORMATIVE
There is no legal agreement in place that would restrict the use of the building to short term holiday lets and/or local occupancy use. Without a planning obligation to secure these items, the proposal would not contribute positively to the economy with regard to tourism or address local housing need in the National Park and would therefore be contrary to the requirements of policy L2 of the Yorkshire Dales National Park Local Plan 2015-2030.