

19/00111/REM, Horton Chapel, Haven Way, Epsom, Surrey

Variation of conditions 4, 6 and 9 Planning Application Reference Number:
17/01378/FUL Date of Decision: 10/04/2018

Ward:	Court Ward;
Contact Officer:	Tom Bagshaw

1 Plans and Representations

- 1.1 The Council now holds this information electronically. Please click on the following link to access the plans and representations relating to this application via the Council's website, which is provided by way of background information to the report. Please note that the link is current at the time of publication, and will not be updated.

Link: <http://eplanning.epsom-ewell.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PNH2A6GYMA600>

2 Summary

- 2.1 This application is being reported to the Planning Committee for determination as the property is in the ownership of Epsom and Ewell Borough Council.
- 2.2 The original planning application proposed the restoration and conversion of the chapel including various alterations to facilitate the new use as an arts and performance centre.
- 2.3 This application relates to the variation of Conditions 4 (Parking provision), Condition 6 (Delineation of parking spaces) and Condition 9 (Approved drawings).
- 2.4 The proposal would result in a reduction from 57 originally approved parking spaces to 42. The applicant has provided sufficient justification for this and it is therefore considered to be acceptable.
- 2.5 The details regarding the delineation of the parking spaces are considered to be acceptable and would not be marked out in visually intrusive materials.
- 2.6 The proposed plans include minor amendments to the exterior of the property which have been assessed by Epsom and Ewell's Design and Conservation Officer and are considered to result in an improvement from the original application.

2.7 Internal alterations will be dealt with via Listed Building Consent application 19/00112/LBA and are not being assessed as part of his application.

2.8 The Application is therefore considered to be acceptable and is recommended for APPROVAL subject to conditions

3 Site description

- 3.1 Horton Chapel is a Grade II listed building and a substantial, brick-built, very early twentieth-century building that used to service the Epsom hospital cluster. It has significant historic and architectural merit but has been redundant since the substantial closure of the Psychiatric hospitals in the late 1990s/early 2000s. It originally had a long colonnaded nave but this was subdivided in 1961 to form two smaller spaces, with the chapel use preserved at the altar end. The west end became known as the Harewood Hall. The internal features include a pipe organ, pulpit and a rood screen bearing two war memorial plaques and there are impressive Doric columns and barrelvaulted roof.
- 3.2 The setting of the chapel is a green space with some tree cover. The area around the chapel is undeveloped and enclosed by a 1.8-metre-high chainlink fence.
- 3.3 The site falls within the Horton Conservation Area.

4 Proposal

- 4.1 This proposal is for the variation of Conditions 4 (Parking spaces), 6 (Delineation of Car parking spaces) and 9 (Approved Drawings)
- 4.2 The proposed variation includes amendments to the parking layout to reduce its size from 42 car parking spaces by 5 car parking spaces. The applicant has provided justification of the reduction in car parking spaces in the Design and Access.
- 4.3 The pathway layouts, refuse and cycle storage have been reconfigured to relate to the new parking layout. 20 covered cycle spaces are still provided but are located closer to the main entrance.
- 4.4 The fencing and vehicular and pedestrian entrance configurations has been rationalised.
- 4.5 External Building Works
- The glazed canopy has been omitted
- 4.6 The proposal includes internal building works which will be assessed and permitted via Listed Building Consent Application 19/00112/LBA
- 4.7 The proposed revised wordings are as follows:

'Condition 4 - Building should not be occupied until space has been laid out on site in accordance with approved plans for a maximum of 42 cars and 20 bicycles.'

'Condition 6 - Delineation of parking spaces and DDA spaces to be in accordance with drawing 1778-SK-40'

'Condition 9 - Development shall be carried out in accordance with the following plans: 1778-SK-20L, 21K, 22D, 23K, 25D, 26D, 27A, 28A, 30C, 31B, 32, 33A, 34C, 35A, 40'

5 Comments from third parties

- 5.1 The application was advertised by means of letters of notification to 57 neighbouring properties. To date (08.05.3029) 0 letters of objection have been received

6 Consultations

- 6.1 There are no consultations application to the assessment of this application.

7 Relevant planning history

Application number	Decision date	Application detail	Decision
17/01379/LBA	10.04.2018	Refurbishment and conversion of existing Grade 2 Listed Chapel to an Arts and Performance Centre, including new entrance canopy, external repairs to the building fabric, internal alterations to building.	PER - Application Permitted
17/01378/FUL	10.04.2018	Refurbishment and conversion of existing Chapel (Use Class D1) to an Arts and Performance Centre (Use Class D1 and D2) , including performance zone, creative learning , exhibition and cafe zone, new entrance glazed canopy, new 57 space car park parking access road; associated external works including soft and hard landscaping.	PER - Permit
19/00112/LBA	Pending	Variation of Application Reference Number: 17/01379/LBA Date of Decision: 10/04/2018 Condition Number(s): Condition 4 Condition 4 - Works hereby approved shall be carried out in accordance with the following plans: 1778-SK-20L, 21K, 22D, 23K, 25D, 26D, 27A, 28A, 30C, 31B, 32, 33A, 34C, 35A	

8 Planning Policy

Core Strategy 2007

Policy CS1 General Policy

Policy CS3 Biodiversity and Nature Conservation

Policy CS5 Heritage Assets and Built Environment

Policy CS6 Sustainable Development

Policy CS16 Managing Transport and Travel

Development Management Policies Document 2015

Policy DM8 Heritage Assets

Policy DM9 Townscape Character and Local Distinctiveness

Policy DM10 Design Requirements for New Developments

Policy DM4 Biodiversity and New Development

Policy DM5 Trees and Landscape

Policy DM19 Development and Flood Risk

Policy DM37 Parking Standards

9 Planning considerations

Protecting the listed building

- 9.1 The desirability of sustaining and enhancing the significance of heritage assets and putting them to uses consistent with their conservation is emphasized in Section 12 of the National Planning Policy Framework (NPPF). Horton Chapel is presently at risk, having been redundant for a lengthy period and with options for sustainable new uses limited by a restrictive covenant. Although understood to be structurally sound, the building is in relatively poor condition and continues to deteriorate. Historically appropriate, 'like for like' repairs and the replacement of impermeable surface finishes with breathable alternatives are welcomed throughout.
- 9.2 The Conservation Officer's comments are considered in more detail in the report on the application for Listed Building Consent – Ref. 19/00112/LBA

Protecting and enhancing the setting of the listed building and the character and appearance of the Conservation Area

- 9.3 The Chapel occupies a park-like, sylvan setting which acts as a gentle foil to the imposing architectural form of the ecclesiastical building. Other than allowing views of the Chapel to remain unobstructed, the existing boundary fence contributes little and there is no objection in principle to the proposed replacement, which is visually permeable and of good quality materials.

- 9.4 From the conservation perspective, the need for extensive, hard-surfaced driveways and parking areas is regretted. However, it is acknowledged that they are necessary and the specification of sympathetic surfacing somewhat mitigates their alien presence. As noted in the original permission 17/01378/FUL, individual parking bays should be discretely delineated by contrasting materials. The reduction in number of parking bays is considered to have a positive impact upon the open setting of the site in comparison to that if the original approval 17/01378/FUL.
- 9.5 The materials selected for the construction of the access way, paths and parking spaces are proposed to be Marshalls "Priora" blocks with a gravel hoggin paving for the parking spaces. There are a number of proposed "bollard" lights that would be attached to wooden posts. The overall impact will be suitably informal and visually appropriate to the setting.
- 9.6 The proposed external design changes to the chapel of removing the glazed canopy have been assessed by the Epsom and Ewell's Design and Conservation Officer and it is considered that this is an improvement in terms of design and heritage from the original approval 17/01378/FUL
- 9.7 While the presence of the new driveways and car-parking areas will undoubtedly alter the visual quality of the setting, they will not change it to the extent that significant harm would arise. Some change is necessary to facilitate a viable new use and the balance of hardstanding to green space will ensure that the overriding sylvan character will remain. The imposing form of the Chapel will remain pre-eminent and the alterations to its setting are effectively mitigated by the heritage benefits ensuing from securing a sustainable new use for the listed building.

Access and parking provision

- 9.8 The quantum of parking also strikes the right balance between accommodating the legitimate needs of the development and protecting the setting of the heritage asset.
- 9.9 The original approval of this application (17/01378/FUL) required the application to justify the number of parking spaces. Below is a summary of the parking justification for this site. The applicant has provided justification of the number of parking spaces.
- 9.10 The car park has been reduced in size from 57 spaces to 42 spaces. SCC Vehicular and Cycle Parking Guidance January 2018 sets out requirements for different uses. The specific uses at Horton Chapel do not fall precisely within the specimen categories, and the provision is subject to individual assessment. The basic guidance is as follows:

Performance (D2): 1 space per 5 people

Exhibition space (D1): 1 space per 30m²

Teaching/conference (D2): 1 space per 5 people (assessed occupancy 3m² / person)

- 9.11 The building is divided into the following uses:

	Space	Area	Occupancy	Standard	Parking
1	<i>Performance</i>		<i>115 people</i>	<i>1 parking space per 5 people</i>	23
2	<i>Exhibition</i>	<i>145 Square metres</i>		<i>1 parking space per 30 square metres</i>	5
3	<i>Teaching and Conference</i>	<i>120 Square metres</i>	<i>40 people (3 metres square per person)</i>	<i>1 parking space per 5 people</i>	8
4	<i>1st fl. Teaching/conf</i>	<i>54 Square metres</i>	<i>18 people (3 metres square per person)</i>	<i>1 parking space per 5 people</i>	4
5	<i>Cafe</i>			<i>Serving other spaces</i>	0
<i>Total</i>					40
<i>DDA Spaces</i>				5%	2
<i>Total Provision</i>					42

- 9.12 The performance space (D2) accommodates 115 people for performances and related uses, which equates to 23 spaces. The main space subdivides into 145m² of exhibition space (D1) and 120m² of teaching / conference spaces (D2), which equates to 13 spaces.
- 9.13 The 1st floor teaching / conference space (D2) equates to 54sqm. This space could accommodate 18 people, equating to 4 spaces.

- 9.14 The reception area and café space are intended to service the other spaces, so they do not generate additional occupancy.
- 9.15 The revised provision equates to 42 spaces including 2 disabled parking spaces.
- 9.16 The parking has been redesigned and reconfigured to meet the above requirement, with disabled parking sited close to the building.
- 9.17 The works include removal of Tree T4, which is being dealt with under a separate application (18/01527/TPO – Felling of Horse Chestnut tree T264 – permit - 27.03.2019)
- 9.18 The car park surface has been amended to a permeable tarmac.
- 9.19 Individual parking spaces will be delineated with thermoplastic paint and this has been shown on new drawing 1778-SK-40
- 9.20 Services/refuse collection – bin storage – bin storage has been located at the side of the property. This is within a short walking distance to the highway for refuse collection and is not considered to result in any unacceptable impacts upon the character of the property as confirmed by Epsom and Ewell's Design and Conservation Officer.

Community Infrastructure Levy

- 9.21 The proposed development is not CIL liable.

10 Conclusion

- 10.1 The proposed amendments to the plan is considered to result in an improvement of the appearance and openness of the site. It would reduce hard surfacing and remove an external canopy above the entrance to the property resulting in an positive impact upon the siting and appearance of the property.
- 10.2 The car parking provision of 42 spaces has been sufficiently justified with reference to Surrey County Council Parking standards and is therefore acceptable in this regard.
- 10.3 Internal Amendments to the property will be assessed as part of Listed building Consent 19/00112/LBA.
- 10.4 The proposal is therefore considered to be acceptable in terms
- 10.5 The application is therefore recommended for **APPROVAL**

11 Recommendation

- 11.1 Approve subject to conditions

Conditions:

- (1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004

- (2) No development shall take place until full details, of both hard and soft landscape proposals, including a schedule of landscape maintenance for a minimum period of 5 years, have been submitted to and approved in writing by the local planning authority. The approved landscape scheme (with the exception of planting, seeding and turfing) shall be implemented within one year of the occupation of the development hereby approved and thereafter retained.

Reason: To ensure the provision, establishment and maintenance of an appropriate landscape scheme in the interests of the visual amenities of the locality in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM5 and DM9 of the Development Management Policies 2015.

- (3) Prior to the commencement of any development works, including ground preparation, details of the tree protection measures to accord with British Standard 5837 shall be submitted to an approved in writing by the Local Planning Authority and the approved measures shall be implemented/erected and shall remain in place for the duration of the construction works. The protection barriers shall only be removed on the completion of all construction activity and with the written agreement of the Local Planning Authority. All works shall be carried out in strict accordance with the approved details.

Reason: To protect the trees on site which are to be retained in the interests of the visual amenities of the locality in accordance with Policy CS5 of the Core Strategy 2007 and Policies DM5 and DM9 of the Development Management Policies Document 2015

- (4) Building should not be occupied until space has been laid out on site in accordance with approved plans for a maximum of 42 cars and 20 bicycles

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with the provisions of Policy CS16 of the Core Strategy 2007.

- (5) No development shall commence until a Construction Transport Management Plan, to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors

- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (e) provision of boundary hoarding behind any visibility zones
- (f) HGV deliveries and hours of operation
- (g) vehicle routing
- (h) measures to prevent the deposit of materials on the highway
- (i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
- (j) no HGV movements to or from the site shall take place between the hours of 8.00 and 9.15 am and 3.15 and 4.00 pm nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, in the vicinity during these times.

Has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with the provisions of Policy CS16 of the Core Strategy 2007.

- (6) **Delineation of parking spaces and DDA spaces to be in accordance with drawing 1778-SK-40'**

Reason: To ensure a satisfactory appearance that is compatible with the setting of a listed building and the character and appearance of the Conservation Area. To accord with Policy DM8 of the Development Management Policies Document 2015.

- (7) **All underground services (including cabling for lighting bollards) shall be carried-out in accordance with the NJUG Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees – Issue 2.**

Reason: To ensure that the existing tree roots are protected from damage in the interests of the visual amenities of the locality in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM5 and DM9 of the Development Management Policies 2015.

- (8) **Before the commencement of the development an Ecological Implementation Plan, setting out how and when the recommendations contained in the applicant's Ecological Impact Assessment produced by New Leaf Ecology and dated September 2017 will be implemented, shall be submitted to and approved in**

writing by the Local Planning Authority. Any works shall thereafter only be undertaken in accordance with the approved Implementation Plan.

Reason: To ensure that the recommendations in the Ecology Report are implemented in the interests of protecting the identified species on the site including bats, to secure the enhancements to biodiversity proposed and to comply with Policy CS3 of the Core Strategy 2007 and Policy DM4 of the Development Management Policies 2015.

- (9) The development hereby permitted shall be carried out in accordance with the following plans:

1778-SK-20L, 21K, 22D, 23K, 25D, 26D, 27A, 28A, 30C, 31B, 32, 33A, 34C, 35A, 40'

Reason: For the avoidance of doubt and in the interests of proper planning as required by Policy CS5 of the Core Strategy 2007.

Informatics:

- (1) The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2018
- (2) Please note that this planning permission does not convey approval for new signs that require separate consent under the Advertisement Regulations 2007. Such would need to be the subject of a separate application for Advertisement Consent.
- (3) Any works to the roof (including the installation of the proposed new roof lights) is likely to involve potential disturbance of bats, which are a protected species. It is important to note that such disturbance would potentially involve committing a criminal offence unless it is done strictly under the terms of a license from Natural England. The applicant is therefore advised to contact Natural England at the earliest opportunity before works commence in order to secure the relevant licence and associated monitoring.
- (4) You are advised that no construction work should be carried out in such a manner as to be audible at the site boundary before 07.30 hours on Monday to Friday or after 18.30 hours on Monday to Friday; no construction work should be audible at the site boundary before 08.00 and after 13.00 hours on Saturdays and no construction work of any nature shall be carried out on Sundays or Bank Holidays or Public Holidays.