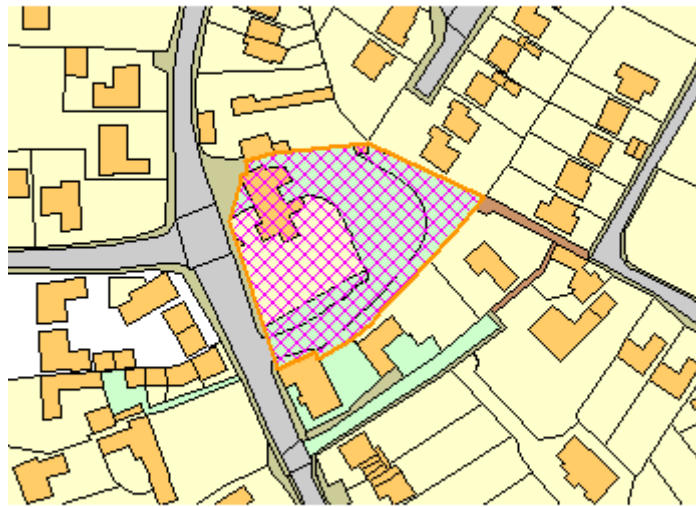


**Reference:** 15/00221/LBC  
**Date submitted:** 16<sup>th</sup> March 2015  
**Applicant:** Marstons plc  
**Location:** Nags Head Inn, 20 Main Street, Harby  
**Proposal:** Alterations to existing ventilation system to catering kitchen.



**Introduction:-**

The application comprises the provision of an extraction fan to run internally into the roof void discharging into an external flue to the rear roof and the installation of extraction equipment in the pub kitchen. The existing extraction louvre on the side elevation would be removed and replaced with stone to match. The application has been amended following concerns raised to the original scheme.

**It is considered the main issue relating to the proposal is:-**

- **The impact on the character and appearance of the listed building and on the fabric of the building.**

The application is to be heard by the Planning Committee at the request of one of the Ward Councillors.

**Relevant History:-**

There is a detailed history on the site. This includes:

- 00/00396/LBC – proposed refurbishment and stabilisation of the gable wall facing Main Street - approved.
- 06/00455/LBC – stabilisation and repair of the gable wall facing Main Street - approved.
- 06/01047/ADV – fascia boards, amenity signs, one hanging sign, trough lighting and floodlighting - approved.
- 06/01048/LBC – new signage scheme comprising fascia boards, hanging sign, trough lighting and flooding - approved.
- 14/00776/FUL - retrospective application for a replacement extraction fan – refused.
- 14/00872/LBC – retrospective application for a replacement extraction fan – refused.
- 14/00894/FUL – addition of a chimney for an extraction fan – refused.
- 14/00912/LBC – construction of a chimney to surround an existing extraction fan – refused.
- 15/00195/FUL – alterations to the existing ventilation system to the catering kitchen – pending.

**Development Plan Policies:****Melton Local Plan (saved policies):**

There are no relevant policies.

**National Planning Policy Framework:****Conserving and enhancing the historic environment**

- 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 level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
- Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.
- Where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision.
- In determining planning applications, local planning authorities should take account of:
  - the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
  - the desirability of new development making a positive contribution to local character and distinctiveness.
- When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest

significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

- Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

**Listed Building and Conservation Area Act 1990**

As the building is listed (grade II\*) the Committee is reminded of the duties to give special attention to the desirability of preserving or enhancing the building and its setting under section 66 of the Act.

**Consultations:-**

Consultation reply	Assessment of Head of Regulatory Services
<p><b>Clawson, Hose &amp; Harby Parish Council</b> – (original consultation) raised no objection.</p> <p>Following the receipt of revised plans re-consultation took place and no response has been received.</p>	<p>Noted.</p>

**Representations**

A site notice was posted, the application was advertised and neighbouring properties consulted. Three representations have been received through the original (one) and consultation and the re-consultation (two) following the receipt of revised plans on the grounds set out below.

Representation	Assessment of Head of Regulatory Services
<p><b>Heritage Impact</b> (original consultation) We are supportive of this listed building application as it is much more sympathetic to the building than the current situation.</p> <p>(re-consultation) Using the internal chimney is the best possible solution taking into account the listed status of this heritage asset. Would like reassurance that the unsightly fat stains which have been left dripping down the side of the building are professionally made good as part of any approval on this application.</p> <p>The current management of the pub deserve support as they have put immense work into improving the standards of the establishment and its value to the village as a social centre. The noise situation and the internal environment for both kitchen staff and customers within the public areas appears to have been addressed in the latest proposal.</p>	<p>As a listed building the Committee is reminded of the duties to give special attention to the desirability of preserving or enhancing the architectural and historic interest of the building (s 66 of the LB and CA Act 1990).</p> <p>The building is grade II* listed with prominent stone gables to the front and side. The side gable is an important element of the historic part of the building and is visible on the street scene.</p> <p>An extraction fan has been fitted and comprises a metal box on the side elevation. Although it is understood there was a previous fan in this position it did not project to this extent and was a less visual feature.</p> <p>The current proposal seeks to provide an extraction fan to run internally into the roof void discharging into an external flue to the rear roof and the installation of extraction equipment in the commercial kitchen. The existing extraction louvre on the side elevation would be removed and replaced with stone to match.</p> <p>This proposal would have a limited visual impact with the only external change comprising the discharge terminal projecting beyond the rear roof slope. However, this would be partially hidden on the side elevation by the parapet. It is considered this would result in less than substantial harm to the</p>

	<p>character, appearance and fabric of the listed building and this small degree of harm would be outweighed by the public benefit through dealing satisfactorily with the pollution issues from the commercial kitchen.</p> <p>The removal of the extraction fan on the side elevation and the reinstatement of stone are welcomed as it would remove an unsightly fan and louvred box which projects significantly beyond the wall. The stone, coursing and mortar mix can be conditioned. A further condition can be imposed to ensure the staining under the extraction is addressed satisfactorily.</p> <p><b>It is acknowledged that an extraction unit is required for the pub kitchen and the revised proposals would result in a limited impact on the character of the building and on historic fabric which would be outweighed by the public benefit of addressing the pollution from the kitchen. The proposal complies with local and national policies in terms of visual impact and the impact on heritage assets and also with s.66 of the Act.</b></p>
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### Conclusion

The application seeks approval for the provision of an extraction fan to run internally into the roof void discharging into an external flue to the rear roofslope. The existing extraction louvre on the side elevation would be removed and replaced with stone to match. This amended scheme would provide a satisfactory solution to the noise and odour issues that have existed for a number of months from the commercial kitchen and are supported by Environmental Health, subject to conditions. Visually the removal of the existing extraction fan is welcomed and would enhance the side elevation of the grade II\* listed building. The proposed extraction would result in a small terminal on the rear roofslope which would have a limited impact on the building and the less than substantial harm would be outweighed by the clear public benefit of addressing the noise and odour issues. It is therefore recommended the application be approved, subject to conditions.

### **RECOMMENDATION:- Permit subject to the following conditions:**

1. The works to which this consent relates shall begin not later than the expiration of three years from the date of this consent.
2. The development hereby approved shall be built in accordance with the following plans: 16037/MJK:02 Rev A Proposed Roof Plan and Internal Roof Plan, Ductwork System and Attenuation Layout, 16037/MJK:01 Rev A Proposed Side Elevation, Proposed Ground Floor Plan and Proposed First Floor Plan, 16037/MJK:03 Rev A Proposed Extract System and 1:1250 Location Plan.
3. Before the commencement of development the following details shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with these approved details.
  - a) Samples of the stone to be used to replace the extraction fan on the side elevation of the building;
  - b) Details of the proposed bond and coursing to be used for the stone;
  - c) Details of the mortar mix (an appropriate lime based mortar is expected);
  - d) Details of the method of cleaning to remove the oil staining below the existing extraction fan;
  - e) Details of the discharge terminal;
  - f) A timetable for the removal of the existing extraction fan and replacement with stone.

Reasons:

1. To prevent the unnecessary accumulation of unimplemented permissions, to encourage early implementation and to enable the Local Planning Authority to review the consent if a further application is made.
2. To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
3. To ensure that the Local Planning Authority can exercise proper control over the visual appearance of the listed building and in the interests of visual amenity.

Officer to contact: **Mr Joe Mitson**

**Date: 16.10.2015**