

Reference: 16/00235/FUL & 16/00236/LBC
Date submitted: 27 August 2016
Applicant: Mrs Ruth Genda
Location: Navvies Cottage Butt Lane Wymondham
Proposal: Change of use from offices into 6 residential apartments



Introduction:-

The application comprises the relocation and extension of a Grade II listed structure, a former railway navvies cottage, into a field adjacent to its current location at Station House, Butt Lane, Wymondham. The property is located outside of the Wymondham Conservation Area and village envelope, set away from surrounding properties, alongside the line of the former railway cuttings.

It is considered the main issues relating to the proposal are:-

- **The principle of relocating a listed building which is regarded as demolition under the Planning (Listed Buildings and Conservation Areas) Act 1990**
- **Visual impact on the building and locality of the extension and modernisation, including on the setting of the listed building.**
- **The impact on the residential amenities of occupiers of neighbouring properties;**
- **Flood risk;**
- **Highway safety.**

The application is to be heard by the Planning Committee as the application concerns a proposal to create a residential dwelling in the open countryside, contrary to the policies of the NPPF.

Relevant History:-

APPROVED: 24.03.2011

11/00058/FUL & 11/00068/LBC Reposition and repair a listed timber framed former cottage and change use to holiday let.

Development Plan Policies:

Melton Local Plan (saved policies):

Policy BE1

States planning permission will not be granted for new built development unless, amongst other things, the development would harmonise with surroundings, would safeguard residential amenity, provide adequate space around dwellings and adequate access and parking is provided.

Policy OS2

Planning permission will not be granted for development outside the town and village envelopes shown on the proposals map except for:-

- a) development essential to the operational requirements of agriculture and forestry;
- b) limited small scale development for employment, recreation and tourism which is not significantly detrimental to the appearance and rural character of the open countryside;
- c) development essential to the operational requirements of a public service authority, statutory undertaker or a licensed telecommunications code system operator;
- d) change of use of rural buildings;
- e) affordable housing in accordance with policy h8

where such development would lead to the coalescence of existing settlements, planning permission will not be granted.

National Planning Policy Framework – Introduces the ‘Presumption in favour of Sustainable Development’ and states that development proposals should be approved if they accord with the Development Plan, or, if it is out of date or does not address the proposal, approve proposals unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits,
- specific policies in this Framework indicate development should be restricted.

The NPPF introduces three dimensions to the term Sustainable Development: Economic, Social and Environmental: It also establishes 12 core planning principles against which proposals should be judged. Relevant to this application are those to:

- Proactively support sustainable economic development to deliver homes and business that local areas need;
- Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- deliver sufficient community and cultural facilities and services to meet local needs;
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and focusing development in locations which are or can be made sustainable.

On Specific issues relevant to this application it advises:

Require Good Design

- Good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people;
- Securing high quality and inclusive design goes beyond aesthetics considerations and should address the connections between people and places and the integration of new development into the natural, built and historic environment.

Delivering a Wide Choice of High Quality Homes

- Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances such as the essential need for a rural worker to live permanently at or near their place of work in the countryside or where the development would re-use redundant buildings and lead to an enhancement of the immediate setting.

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 adjacent farmhouse is a listed building and the outbuilding is within the Conservation Area the Committee is reminded of the duties to give special attention to the desirability of preserving or enhancing the building and its setting and preserving and enhancing the conservation area, sections 66 and 72.

Consultations:-

Consultation reply	Assessment of Head of Regulatory Services
<p>Wymondham & Edmondthorpe PC – no objections to the application.</p>	<p>Noted.</p>
<p>Highways –</p> <p>The Local Highway Authority refers the Local Planning Authority to current standing advice provided by the Local Highway Authority dated September 2011. Consider access, parking and turning provision</p>	<p>At present there is adequate parking and turning provision within the curtilage of Station House that also provides sufficient space for the extension of Navvies Cottage to be used as a residential dwelling. However should Station House be sold at a later date and the Navvies Cottage subsequently divided into its own curtilage, provisions for additional parking will need to be considered at time of application.</p>
<p>LCC Ecology</p> <p>LCC Ecology require a protected species survey to be undertaken prior to commencement of works.</p>	<p>The requirement to complete a protected species survey forms part of the conditions of any approval if the application is successful.</p>
<p>Historic England</p> <p>Historic England have assessed the impact of the revised designs on the significance of the grade II listed cottage, and believe the option of a continuous alignment with glazed element to separate ‘old’ from ‘new’ is sensitive to the heritage asset, enabling the cottage to read as effectively as a strict linear arrangement –authentic to the simplicity and historic alignment focused on the railway line.</p> <p>Furthermore, the intention of a revised scheme would look to align the new structure(s) within both plots so that the original cottage remains as close to its historic footprint as possible, whilst allowing more space between the adjacent building.</p> <p>Historic England are happy to proceed with this arrangement and do not require further consultation if the application is approved.</p>	<p>Historic England’s approval of any proposed work is required, as the relocation of the Navvies Cottage is regarded as the demolition of a Grade II listed building.</p> <p>The relocation and extension carried out in a strict linear arrangement, situated in close proximity to its original location means the building can still be read in its original context.</p> <p>The building is proposed to be relocated with sufficient distance from Station House, to allow the development to be marketed / lived in at a later date as a separate property with its own site curtilage. Historic England are satisfied that this relocation is not harmful enough to render the building de-listable.</p> <p>Historic England are satisfied that a modern extension, connected via a glazed link, with the subsequent loss of historic fabric required in the modernisation of the structure to provide modern living facilities, is acceptable.</p>

Representations

A site notice was posted, the application advertised and neighbouring properties consulted.

No representations were received.

Other Considerations	Assessment of Head of Regulatory Services
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<p>Application of Development Plan and other planning policy</p> <p>OS2</p> <p>Planning permission will not be granted for development outside the town and village envelopes shown on the proposals map except for:-</p> <p>a) development essential to the operational requirements of agriculture and forestry;</p> <p>b) limited small scale development for employment, recreation and tourism which is not significantly detrimental to the appearance and rural character of the open countryside;</p> <p>c) development essential to the operational requirements of a public service authority, statutory undertaker or a licensed telecommunications code system operator;</p> <p>d) change of use of rural buildings;</p> <p>e) affordable housing in accordance with policy h8</p> <p>where such development would lead to the coalescence of existing settlements, planning permission will not be granted.</p> <p>National Planning Policy Framework,</p> <p>Paragraph 140</p> <p>Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.</p>	<p>The proposed relocation and extension of the Navvies Cottage will take the property outside of its existing residential curtilage and create a new residential dwelling in the adjacent field which is currently classified as open countryside.</p> <p>While this is contrary to the saved policies of OS2, in the absence of saved conservation local plan policies, Paragraph 140 of the National Planning Policy Framework (NPPF) is applied to justify recommendation for planning approval and listed building consent as a form of ‘enabling development’.</p> <p>The Navvies Cottage is presently in use as an outbuilding ancillary to Station House. All possible solutions to refurbish and repair the dilapidated listed building in situ have been sought and each of these has not been possible.</p> <p>This has been evidenced by the applicant in their design and access / heritage statement and the only viable solution to save this listed building from imminent threat of collapse is to modernise, extend and relocate the structure, in the open countryside, to accommodate modern residential facilities.</p> <p>On balance it is considered the benefits to the scheme, in saving a listed building from threat of collapse, outweigh any issues caused in creating a single residential dwelling in the open countryside. In conclusion it therefore it is considered the principle of the relocation and extension can be supported.</p> <p>It is considered that the proposal for enabling development would secure the future conservation of the Navvies Cottage and outweighs the disbenefits of departing from those policies</p>
<p>Heritage Assets</p>	<p>The proposal has been developed in alignment with Historic England who are required to provide recommendation on any application involving the ‘demolition’ of a listed building. The scheme has been revised in accordance with Historic England’s recommendations and the proposal is now considered to be acceptable.</p> <p>If approval is granted, conditions will be placed to</p>

	<p>ensure a schedule of works is submitted which provides a detailed methodology for the dismantling and rebuild of the Navvies Cottage, to ensure as much historic fabric can be retained as possible.</p> <p>It is considered that the proposal ensures the longevity of a listed building and is considered to preserve the character and appearance of the Conservation Area and complies with the requirement under s.66 and s.72 of the Listed Buildings and Conservation Areas Act 1990.</p>
<p>Highway Safety</p> <p>Policy BE1 allows for development providing that (amongst other things):-</p> <ul style="list-style-type: none"> • Adequate access and parking can be provided. 	<p>Adequate parking and access provision The scheme therefore complies with Policy BE1 and it is noted the Highway Authority raised no objection.</p> <p>It is not considered that the proposal would have an adverse impact on highway safety.</p>

Conclusion

The proposal relates to the relocation and extension of the Navvies Cottage into open countryside adjacent to its existing location at Station House, Wymondham. It is considered that the relocation and extension will not cause undue harm to the fabric of the listed building, and the creation of a single dwelling in the open countryside, while contrary to saved policy OS2, is deemed necessary to secure the longevity of a listed building recognised as 'at risk'.

The proposed relocation and extension would be sympathetic to the visual appearance of the building and surroundings and would be satisfactory in terms of residential amenity, highway safety and ecology. The proposal is therefore recommended for approval subject to conditions.

RECOMMENDATION That both 16/00235/FUL and 16/00236/LBC are approved subject to the following conditions:-

16/00235/FUL

Conditions:

1. The development shall be begun before the expiration of three years from the date of this permission.
2. All work must be carried out in strict accordance to the plans: drawing number A301 A submitted to the Local Authority 25th July 2016.
3. No work shall commence prior to submission of a protected species survey to be approved by Leicestershire County Council Ecology.

Reasons:

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990. and 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. For the avoidance of doubt.

3. In accordance with protected species policy as outlined by Leicestershire County Council.

16/00236/LBC

Conditions:

1. The development shall be begun before the expiration of three years from the date of this permission.
2. All work must be carried out in strict accordance to the plans: drawing number A301 A submitted to the Local Authority 25th July 2016.
3. Prior to commencement a schedule of works must be submitted which includes a detailed methodology for the dismantling of the listed building and its relocation to the new site. Also included in the schedule of works must be an updated condition survey which details how much of the listed building is intended to be reused in the refurbishment including all structural timber work, bricks, roof slates and roofing materials.
4. Wherever historic fabric is not in a dilapidated state, it must be used in the refurbishment of the listed building.

Reasons:

1. To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and 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. For the avoidance of doubt.
3. To preserve the historic character of the building and ensure historic fabric is reused where possible.
4. To ensure historic fabric is reused where possible.

Officer to contact: **Mr Toby Ebbs**

Date: 26.08.2016