

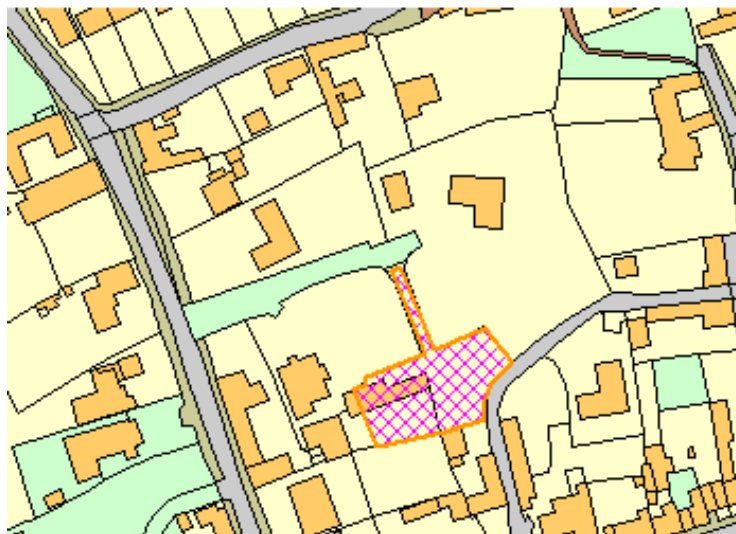
Reference: 14/01035/FULHH and 14/001036/LBC

Date submitted: 24.12.14

Applicant: Mr E Hutchison

Location: The Tithe Barn, 20A Water Lane, Frisby on the Wreake

Proposal: Erection of a timber garage



Introduction:-

The Tithe Barn is a grade II listed building (now separated from The Gables Farm), which occupies a location away from Water Lane off a shared access drive within the Conservation Area and Village Envelope for Frisby on the Wreake.

The application is for:

- The erection of a detached timber garage

To date three plans have been received by the Council.

- the original submission;
- an amended plan reducing the size of the garage
- a further amended plan removing the log store, upper floor and hipping the roof

It is considered that the main issue relating to the application is:

- **Impact upon the host listed building and neighbouring buildings**
- **Impact upon the Protected Open Area**

The application is required to be considered by the Committee due to the applicant holding the position of Councillor

Relevant History:

91/0414 – conversion of barn - permit
92/0490/LB - Conversion of barn and outbuildings - permit
92/0491/FUL - Conversion of barn and outbuildings - permit
02/00939/FUL - Proposed erection of a domestic garage – permit – not built
02/00959/LBC - Proposed erection of a domestic garage – permit – not built

Development Plan Policies:

Melton Local Plan (saved policies):

Policies OS1, BE1 and BE12

Policy OS1 – allows for development within the town and village envelopes providing that (amongst other things):-

The form, character and appearance of the settlement is not adversely affected;
The form, size, scale, mass, materials and architectural detailing of the development is in keeping with the character of the locality.
The development would not cause undue loss of residential privacy, outlook and amenities as enjoyed by occupants of existing developments in the vicinity.

Policy BE1 allows for development providing that (amongst other things):-

- The buildings are designed to harmonise with surroundings in terms of height, form, mass, siting, construction materials and architectural detailing;
- The buildings would not adversely affect occupants of neighbouring properties by reason of loss of privacy or sunlight or daylight;
- Adequate space around and between dwellings is provided;

Policy BE12 allows for development within any area shown on the proposals map as a Protected Open Area where the proposal is in conjunction or associated with an existing use and the development would not adversely affect the intrinsic character of the area.

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
- encourage the effective use of land by reusing land that has been previously developed (brownfield land)
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable
- take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

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.

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.

Consultations:-

Consultation reply	Assessment of Head of Regulatory Services
Highway Authority As the access is existing no observations	Noted

Frisby Parish Council	
No comments to make.	Noted

Representations

A site notice was posted and neighbouring properties consulted. As a result four letters of representation were received to the original submission.

Representation	Assessment of Head of Regulatory Services
<p>Character and Appearance of Area</p> <p>The comments from neighbours relate to the original plans and second set of plans submitted for this application.</p> <p>Detrimental impact on sensitive area/conservation area/environment/</p> <p>Obtrusive building with concerns over the height and mass.</p> <p>An upstairs window overlooking number 2 Hollow Lane</p> <p>Impact upon the Listed Building</p> <p>Building too large for a garage</p>	<p>The proposal is to construct a timber garage/store within the garden area associated with the house, which is inside the village envelope. The proposed garage will be a three bay construction with workshop with two of the three bays open and the third will have a pair of traditional double doors. It will be constructed in traditional style based on an oak frame with three courses of brick to the base of the walls. The roof would be clad in pantiles. Overall dimensions are 9.2 m x 5.5 m base; 5.3 metres to the ridge.</p> <p>The design and choice of materials are considered to be acceptable and will reflect and respect the host listed building and the street scene within the conservation area location.</p> <p>Taking into account the comments received by neighbours, two further sets of plans were received to amend the design and size of the garage.</p>

Other material considerations (not raised through consultation or representation)

Consideration	Assessment of Head of Regulatory Services
<p>Application of Development Plan and other planning policy</p> <p><u>Policy OS1</u>, States that planning permission will be granted for development within town and village envelopes unless, among other things, the form, character and appearance of the settlement is not adversely affected.</p> <p>The form, size, scale, mass, materials and architectural detailing of the development is in keeping with the character of the locality</p> <p>The development would not cause undue loss of residential privacy, outlook and amenities as enjoyed by occupants of existing dwellings in the vicinity</p>	<p>The proposed garage/store is located within the village envelope It is however a building which adds to the residential enjoyment of the host dwelling and is solely related to it.</p> <p>In terms of its traditional design and construction materials it respects the host listed dwelling and its conservation area location</p> <p>In residential amenity terms the scaled-down size of the building as submitted within the set of plans submitted on the 17th February 2015 is considered</p>

<p><u>Policy BE1</u> allows for development providing that (amongst other things):-</p> <ul style="list-style-type: none"> • The buildings are designed to harmonise with surroundings in terms of height, form, mass, siting, construction materials and architectural detailing; • The buildings would not adversely affect occupants of neighbouring properties by reason of loss of privacy or sunlight or daylight; • Adequate space around and between dwellings is provided; <p><u>Policy BE12</u> allows for development within any area shown on the proposals map as a Protected Open Area providing the proposal is in conjunction or associated with an existing use and the development would not affect the intrinsic character of the area.</p>	<p>to be more appropriate. The roof has been fully hipped and the log store and second storey removed, thus reducing the footprint and height. The height would be to a maximum of 4.8 metres to the ridge and it would lie adjacent to a neighbouring outbuilding which has a height of 5.3 metres.</p> <p>The new garage would be considered to comply with Policy BE12 which seeks to resist development within any area shown as a protected open area unless the proposal is in conjunction or associated with an existing use and the development would not adversely affect the intrinsic character of the area. After negotiation the garage has been substantially reduced in size and its location and materials would not be detrimental to the area.</p> <p>The proposal is therefore considered to comply with Policies OS1, BE12 and BE1.</p>
<p>Heritage Issues</p> <p>Paragraph 129 states that 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.</p> <p>Paragraph 131 states that in determining planning applications, local planning authorities should take account of:</p> <ul style="list-style-type: none"> • 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. <p>Paragraph 132 States that 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</p>	<p>The Tithe Barn and adjacent Gables Farm are a grade II listed buildings. They are also within the conservation area but located along a private driveway, which serves several properties, off Water Lane.</p> <p>With regard to the proposed building, both the traditional design and choice of traditional materials are considered to be acceptable and will reflect and respect the host listed building and the conservation area location.</p> <p>As such the revised proposal is considered to comply with the NPPF.</p>

heritage asset or development within its setting.	
Design & Impact on Streetscene	In terms of its traditional design and construction materials the proposed garage building respects the host listed dwelling and its conservation area location. The site is located within a group of properties off a private driveway. The impact of the building upon the streetscene would be negligible.
Impact on Residential Amenity	In residential amenity terms the revised plans dated 17 th March 2015 show a much reduced footprint and height; removal of the upper floor and a log store. The neighbour's building to the rear of 1 Hollow Lane would partially screen the new garage from number 1, thus lessening any impact.

Conclusion

Whilst the host building lies within the village envelope, conservation area for Frisby on the Wreake, the site of the proposed garage building falls within a protected open area. As such policies OS1, BE11 and BE12 are relevant together the objectives of the NPPF in terms of sustainability and heritage issues. The host building is a grade II listed building.

As a grade II listed building the Tithe Barn is a designated heritage asset that is considered to be of significance. Paragraph 129 states that 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.

The proposed garage building is of traditional construction and design based on a traditional oak frame with a pantiled roof. The design has been modified in order to reduce the scale and mass after adverse comments from neighbours were received. As such it respects the host listed dwelling and its conservation area location.

The garage is a building which adds to the residential enjoyment of the host dwelling and is solely related to it. It will be set back from Water Lane and that will reduce its visual impact in relation to both the grade II listed buildings in the vicinity and the street scene in general.

It is therefore considered that the proposal complies with Policies OS1, BE1 and BE12 and is accordingly recommended for approval.

RECOMMENDATION:-

Permit application no 14/001035/FULHH subject to the following conditions:-:

1. The development shall be begun before the expiration of three years from the date of this permission.
2. The works hereby permitted shall be undertaken strictly in accordance with Drawing No : A1-02-01-2015 Rev 2 dated 17th March 2015
3. The external materials to be used in the development hereby permitted shall be in strict accordance with those specified in the application unless alternative materials are first agreed in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details

The reasons for the conditions are:

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

2. For the avoidance of doubt
3. To ensure a satisfactory standard of external appearance.

AND

Permit application no 14/001036/LBC, subject to the following conditions:-

1. The development shall be begun before the expiration of three years from the date of this permission.
2. The works hereby permitted shall be undertaken strictly in accordance with Drawing No : A1-02-01-2015 Rev 2 dated 17th March 2015
3. The external materials to be used in the development hereby permitted shall be in strict accordance with those specified in the application unless alternative materials are first agreed in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details

The reasons for the conditions are:

1. To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
2. For the avoidance of doubt
3. To ensure a satisfactory standard of external appearance.

Officer to contact: **K Jensch**

Date: 2nd April 2015