

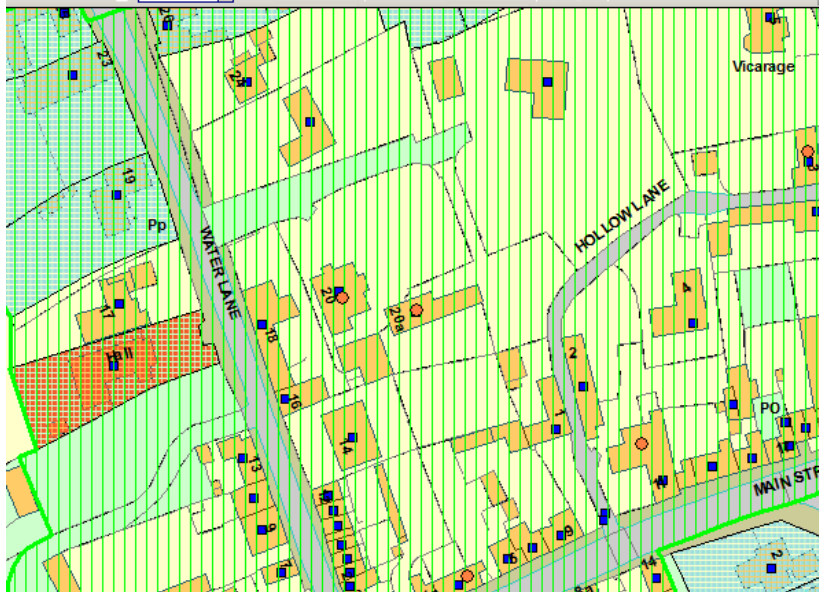
Reference: 17/00327/FULHH & 17/00328/LBC

Date submitted: 09.3.17

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.

In 2014 approval was granted for a timber garage under application 14/01035/FULHH and 14/01036/LBC.. This application only seeks minor amendments, with a marginal increase in the ridge height and the addition of conservation rooflights. This has been proposed as an alternative to dormer windows, which were initially proposed and were considered to be inappropriate for the character of the building and the conservation area.

Listing Description for Gables Farm:

Farmhouse, now a house. Mid C17 and early C18. Refenestrated late C18, late C19 and C20 alterations. Random rubble and brick with Swithland slate roofs. Rubble plinth, corbelled eaves, moulded brick verges. 2 central brick ridge stacks. 2 storeys plus garrets. Double range plan. North end has central gabled wooden porch on brick plinth, flanked by single 3 light cross mullioned casements. Above the door, 2 light cross mullioned casement, flanked by single 3 light cross mullioned casements. All these casements have segmental brick heads. Above again, 2 three light sliding sashes in altered openings with segmental heads. East side has central rubble stair with partly blocked round-headed opening below, flanked to left by a 6 panel door with segmental head, and to right by a 4 pane fixed light. Above, slightly off-centre half-glazed door with segmental head, and above it an unslated pentice roof. West side has remains of central mullioned cellar opening. Ground floor has off-centre casement flanked to left by a blocked opening and to right by 2 casements. All these openings have

segmental heads. Above, to left 2 blocked openings and to right, 2 casements with segmental heads. South end has 3 segmental arched openings, containing to left, 6 panel door and C20 flanking light, and to right, 2 casements. Above, blocked opening and to right, 2 casements. Above again, 2 casements. All these casements have segmental heads. Interior, refitted late C19 and mid C20, is said to contain stone vaulted cellars.

The application is for:

- Resubmission of previously approval application for a timber garage to increase the ridge height slightly and minor wall change plus conservation roof lights.

To date two plans have been received by the Council.

- the original submission;
- an amended plan removing the dormer windows replaced with conservation roof light

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
02/00959/LBC - Proposed erection of a domestic garage – permit
14/01035/FULHH – Proposed erection of timber framed garage - permit
14/01036/LBC - Proposed erection of timber framed garage - permit

Development Plan Policies:

Melton Local Plan (saved policies):

Policies OS1 and BE1

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
Character and Appearance of Area A neighbour has questioned the provision of dormer windows suggesting the first floor is to be used as accommodation	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. Furthermore the marginal increase in ridge height does not significantly affect the previously approved application. The dormer windows have been removed from the application and the building is considered acceptable for use as a garage or residential that remains ancillary to the principle dwelling. A condition will be placed to ensure the property cannot be used as a separate address.

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><u>Policy BE1</u> allows for development providing that (amongst several criteria:-</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>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 removal of the dormer windows with the provision of conservation roof lights is considered to be more appropriate.</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>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. The increased ridge height and conservation roof lights do not impact on the setting of the listed building and are in accordance with paragraph 131 of the NPPF which requires the LPA to consider the ‘<i>desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation</i>’</p> <p>As such the revised proposal is considered to comply with the NPPF.</p>

<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 heritage asset or development within its setting.</p>	
<p>Design & Impact on Streetscene</p>	<p>In terms of its traditional design and construction materials the proposed garage building respects the host listed dwelling and its conservation area location.</p> <p>The site is located within a group of properties off a private driveway. The impact of the building would be negligible.</p>
<p>Impact on Residential Amenity</p>	<p>In <u>residential amenity</u> terms the revised plans dated do not significantly change the form, layout, scale and relationship with neighbouring properties. As such the revisions are considered acceptable..</p>

Conclusion

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.

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.

The revisions to increase the ridge height and the provision of dormer windows do not significantly impact on the outcome of the original application that was approved in 2014.

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

RECOMMENDATION:- Permit both applications, 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 plans submitted to the Local Authority
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

4. The newly proposed rooflights must be flat profile conservation rooflights that sit flush to the line of the roof tiles and will not project above this line.

The reasons for the conditions are:

1. As appropriate to each application:
17/00327/FUL: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990
17/00328/LBC: To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004
2. For the avoidance of doubt
3. To ensure a satisfactory standard of external appearance.
4. To preserve the historic character of the listed building.

Officer to contact: **T Ebbs**

Date: 28th June 2017