

Conversion and extension of outbuilding and garage into five residential units for holiday accommodation

Report Item No
A3

Breedon Hall Main Street Breedon On The Hill Derby
DE73 8AN

Application Reference
17/01608/FUL

Applicant:
Mr And Mrs Meynell

Date Registered:
20 October 2017

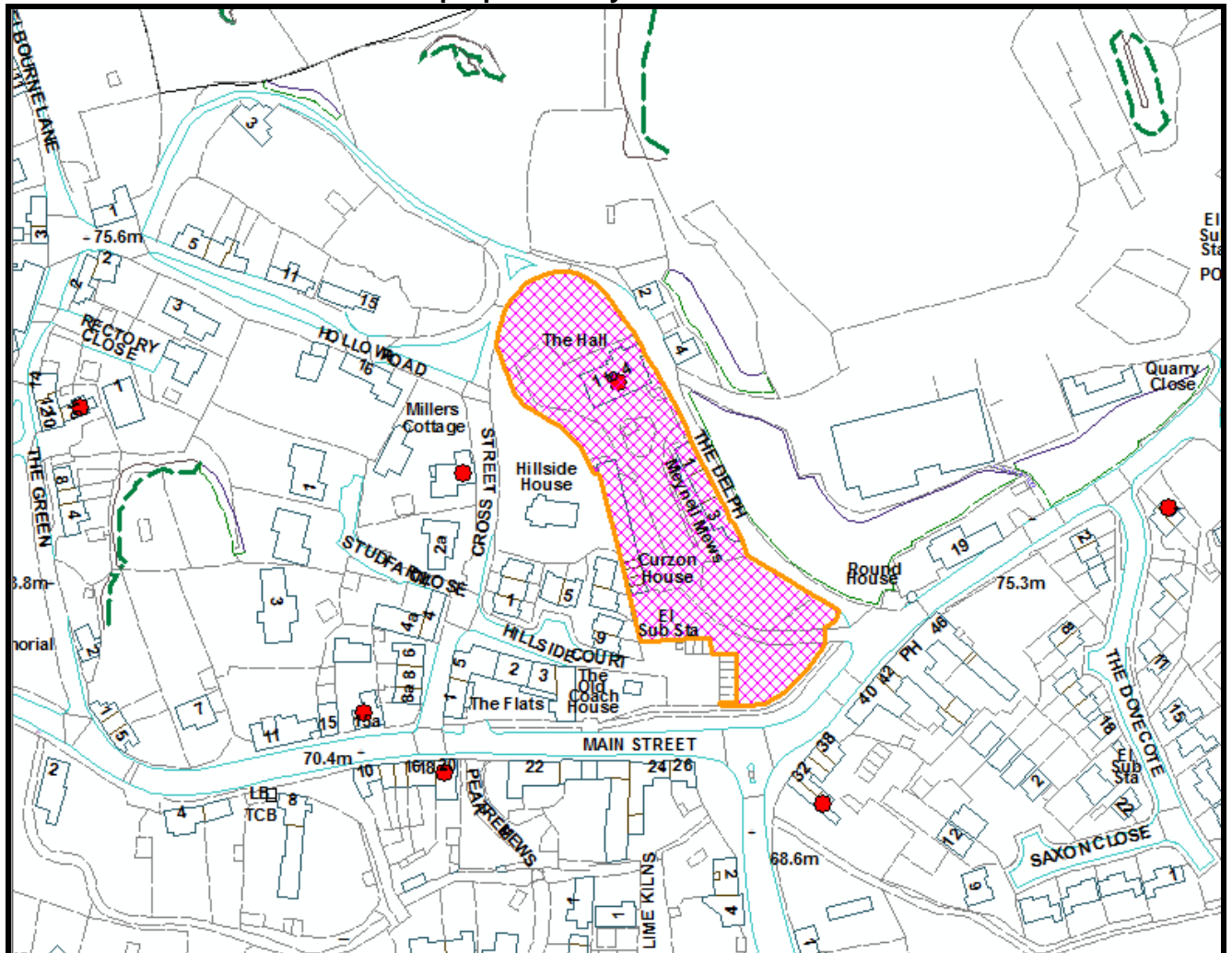
Case Officer:
Eleanor Overton

Consultation Expiry:
31 December 2017

Recommendation:
PERMIT

8 Week Date:
15 December 2017
Extension of Time:
7 January 2018

Site Location - Plan for indicative purposes only



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EXECUTIVE SUMMARY OF PROPOSALS

Call In

The application is before Planning Committee as the applicant is related to a serving Councilor, Councilor Blunt.

Proposal

Planning permission sought for the conversion and extension of an outbuilding and garage block into five residential units for use as holiday accommodation, at Breedon Hall, Main Street, Breedon on the Hill.

Consultations

Two letters of objection have been received by a single objector, the owner of the development of retirement bungalows known as Hillside Court. There are no outstanding objections from any statutory consultee and the Parish Council do not object.

Planning Policy

The application site is within the Limits to Development in the adopted North West Leicestershire Local Plan and is also within the Conservation Area.

Conclusion

The principle of new tourist accommodation in Breedon on the Hill is considered acceptable and further support is also attributed to the re-use of the buildings in question. The key issues are:

- Impact on Character, Design and the Historic Environment;
- Residential Amenity; and
- Highway Safety

The report below considers these matters, and Officers conclude that the proposal is acceptable on this basis. The scheme meets the requirements of relevant NWLDC policies, including the Good Design for North West Leicestershire SPD.

RECOMMENDATION - PERMIT, SUBJECT TO CONDITIONS.

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1. Proposals and Background

Planning permission sought for the conversion and extension of an outbuilding and garage block into five residential units for use as holiday accommodation, at Breedon Hall, Main Street, Breedon on the Hill.

Breedon Hall is a Grade II Listed Building situated on the northern side of Main Street and to the west of The Delph, in Breedon on the Hill. To the south of Breedon Hall, the central approach is flanked by two detached, two story brick outbuildings. The outbuilding to the west (known as 'Curzon House') is a former coach house, which was partially converted into residential use some time ago and in 1984 was extended to provide four garages. This building is subject of the current planning application. The building sited opposite is a former stable block, and has been converted to provide three units of residential accommodation.

Throughout the course of the application, amended plans have been secured to address concerns raised by the Officer and Consultees. These plans have been subject to a full re-consultation.

The site is located within the Limits to Development, as defined by adopted Local Plan and it within the Breedon on the Hill Conservation Area.

Relevant Planning History:-

11/01025/LBC - Change of use to C3 (dwellinghouse) and internal alterations - Approved 14th February 2012;

11/01026/FUL - Change of use to C3 (dwellinghouse) - Approved 14th February 2012;

12/01006/FUL - Change of use of former stable block into 3 residential units including external alterations and works along with the erection of a single storey extension - Approved 13th February 2013;

12/01007/LBC - Change of use of former stable block into 3 residential units including external alterations and works along with the erection of a single storey side extension (listed building consent) - Approved 13th February 2013;

13/00695/NMA - Non material amendment to planning permission 12/01006/FUL to allow reduction in number of roof windows proposed and removal of existing (non original) chimney previously proposed for retention - Approved 14th November 2013;

13/00677/LBC - Change of use of former stable block into 3 residential units including external alterations and works along with the erection of a single storey side extension (Amended Scheme to LBC 12/01007/LBC to now include removal of non-original chimney and formation of three roof-lights on north east roof plane) - Approved 14th November 2013;

15/00637/LBC - Retrospective application for conversion of unlisted former stable block within curtilage of listed building into 3 residential units including external works and off-street parking - Approved 9th September 2015;

16/00371/VCI - Variation of Condition 1 and removal of Condition 2 associated with planning permission reference 15/00648/VCI to allow for the removal of part of boundary wall (retrospective) and formation of a vehicular and pedestrian access off The Delph with

associated brick piers and gates - Approved 12 May 2016;

17/01580/LBC - Conversion and extension of outbuilding and garage block into five residential units for holiday accommodation - Pending Consideration.

2. Publicity

7 Neighbours have been notified.

Press Notice published Derby Evening Telegraph 8 November 2017.

3. Summary of Consultations and Representations Received

No objection:-

Environmental Protection
Leicestershire County Ecology
Breedon on the Hill Parish Council

No objection, subject to condition(s):-

Leicestershire County Highway Authority

No response received:-

Leicestershire County Archaeology
Severn Trent Water

Any comments received will be reported on the Update Sheet.

Third Party Representations

Two letters of representation have been received from the same objector. The objector has written on behalf of Brelade Estates, the company who owns Hillside Court; the development of retirement bungalows situated to the north west of the site.

The following concerns are raised within the letters:-

That the proposal would result in overshadowing and loss of light to the neighboring properties.
The proposed roof lights would result in an unacceptable level of overlooking.
The scale of the proposal would result in an oppressive form of development.
Queries as to why the proposed roof lights are all situated within the westerly aspect of the roof.

4. Relevant Planning Policy

Relevant Planning Policy

National Planning Policy Framework

Paragraph 9 and 10 Achieving sustainable development;
Paragraph 14 (Presumption in favour of sustainable development);
Paragraph 28 (Supporting a prosperous rural economy);
Paragraphs 56, 57, 58, 59, 60, 61 and 64 (Requiring good design);
Paragraphs 109, 112, 118, 119, 120, 122, 123 and 124 (Conserving and enhancing the natural environment);
Paragraphs 131, 132, 134, 137 and 141 (141 Conserving and enhancing the historic environment).

Adopted North West Leicestershire Local Plan (2017)

The following policies of the adopted Local Plan are consistent with the policies in the NPPF and should be afforded weight in the determination of this application:

S2 - Settlement Hierarchy
D1 - Design of New Development
D2 - Amenity
En1 - Nature Conservation;
IF4 - Transport Infrastructure and New Development
IF7 - Parking Provision and New Development
HE1 - Conservation and Enhancement of North West Leicestershire's Historic Environment

Other Policies/Guidance

National Planning Practice Guidance - March 2014
6Cs Design Guide (Leicestershire County Council)
Good Design for North West Leicestershire SPD - April 2017
The Conservation of Habitats and Species Regulations 2010 (the 'Habitats Regulations')
Circular 06/05 (Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within The Planning System)
SPD Good Design
The Planning (Listed Buildings and Conservation Area) Act 1990

5. Assessment

Principle of Development

In accordance with the provision of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the starting point for the determination of the application is the Development Plan which, in this instance, includes the adopted Local Plan 2017.

This application proposes to convert a range of existing buildings into 5 units of holiday accommodation within the settlement boundary of Breedon on the Hill.

Policy Ec13 of the adopted Local Plan seeks to maximise the potential of tourism in the district and increase tourist opportunities for visitors by supporting the: (c) *development of new tourist attractions, including the provision of new accommodation to facilitate the opportunity for overnight stays* and (2) seeks to encourage new tourist attractions and accommodation within the limits to development where it can make use of existing infrastructure.

Furthermore, paragraph 28 of the NPPF seeks to support economic growth in rural areas through supporting sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside.

As this development would provide additional tourist accommodation within the settlement boundary and would utilise an existing building, part of which has some historic merit, in principle therefore, subject to a condition restricting occupancy of the holiday accommodation, the development is considered acceptable.

Impact on Character, Design and the Historic Environment

Breedon Hall is a Grade II Listed Building. The perimeter walls to the northern side of the grounds associated with the Hall are also Listed within their own right. Furthermore, the entire site is situated within the Breedon on the Hill Conservation Area.

Units 2 - 5 of the proposal would be situated within the original part of the building, which was formally a coach house and also provided some stabling. The original building dated to the mid-late 18th Century, however part of it was raised in the 19th Century and the left gable was rebuilt at some point in the 20th Century. It is also understood that the northern most section of the building was converted to flats in 1986.

This building is of two story proportion and of red and buff brick construction with a plain tiled roof. The rear elevation of the building has been rendered. Within the principle elevation there are two coach-house bays with double doors; the doors have bonded stone jambs and brick arches. There are a range of openings, both at ground and first floor level to the front and rear elevations of the building, with those to the front elevation benefiting from stone header and cill detail. The windows are traditional sashes.

Unit 1 would be situated within a modern pitched roof 4 bay garage attached to the southern side of the original part of the building. This was erected in/around 1984. The appearance of the garage block is not in keeping with the design or scale of the attached Listed building.

The design of the holiday lets as originally proposed were not considered acceptable and would have detracted from the historic characteristics of the building, and objections were received from the council's Conservation Officer on such grounds.

Throughout the course of the application, the design has been amended; the first floor extension originally proposed to the garage block has been omitted and to facilitate the first floor accommodation, the eaves and ridge level of the garage building have been raised. The proportions of this part of the building are now more akin to those of the original building and the buildings overall appearance is improved.

Details of the fenestration have also been amended, the proposed glazing has been set in a deep reveal and the number of roof lights have been reduced. Such amendments have resulted in the development appearing more sympathetic and have ensured that the buildings original characteristics have been retained.

Owing to the concerns raised by the Council's Buildings Control Officer, specifically in relation to fire safety, two fire escapes have been inserted into the rear elevation of the building. These have been carefully sited and designed to ensure they do not detract from the original character of the building and would not result in harmful impacts on the residential amenity of adjacent dwellings, whilst still being functional. These openings would comprise of butt and beaded painted doors and would replicate the scale of existing first floor opening within the rear elevation.

The appearance of the garage block would be improved and the elevational changes to the original building would not detract from its character or appearance. Overall the design and detail of the scheme is now considered acceptable and complies with Policy D1 of the adopted Local Plan.

Heritage Assets

As stated above, the site lies within the Breedon on the Hill Conservation Area and the coach house subject of this application is Grade II Listed, whilst the more recently added garage block would be curtilage Listed, by virtue of its physical connection to the Listed Building.

The proposed development must therefore be considered against section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires that when considering a planning application for development that affects a listed building or its setting the decision maker, "shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possess."

In relation to the Listed Building designation, as a heritage asset, Paragraph 131 of the NPPF requires that in determining planning applications, local planning authorities should take account of, amongst others, the desirability of new development making a positive contribution to local character and distinctiveness. Paragraph 132 goes on to say 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.

Paragraph 134 of the NPPF states that where a development 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.

As outlined above, the Council's Conservation Officer originally raised concerns with the scheme, however following the amendments made, the proposal is now considered to result in less than substantial harm to the heritage assets and furthermore, it is acknowledged that there would be some public benefits associated with the scheme, by virtue of the unused parts of the building being brought back into a viable use through their conversion.

As a result of the amended design, there are considered to be no significantly harmful impacts on the Listed Building or its setting and as a result of the siting of the building, it would not be prominent within the conservation area and as such its character would be preserved.

In consideration of the above, and on balance, the historic significance of the heritage assets would not be harmed and the development would accord with the principles of Paragraphs 131, 132, 137 and 141 of the National Planning Policy Framework. The proposal would also comply with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and policies D1 (Design of new development) and He1 (Conservation and Enhancement of North West Leicestershire's historic environment) of the adopted Local Plan.

Impact upon Residential Amenity

Concerns have been raised within the letter of representation that the proposal would result in unacceptable impacts upon the residential amenity of occupants of the bungalows to the west, situated on Hillside Court, by way of privacy, loss of light and overshadowing and on grounds of the development being oppressive.

Whilst the residential amenity of No. 7 Hillside Court may be very slightly impacted upon by virtue of their proximity to the proposal, No.6 Hillside Court would suffer some degree of harm, particularly in the morning. The rear garden/yard area of this property faces east and flanks the application building. There are a range of openings within the rear elevation of this property, some of which would serve habitable rooms.

There is a separation distance of approximately 3.5 meters between the northern most corner of this dwelling and the application site, and 6 meters between the southern most corner of this dwelling and the application site. There is a stone wall of approximately 1.8 meters in height which forms the common boundary between the building subject of this application and the dwelling. The application building also occupies a higher ground level than the dwellings on Hillside Court.

The existing garage block is situated within close proximity of the common boundary, and runs parallel to it. The overall height of this building is to be raised from just under 5 meters to 6 meters and its eaves is to be raised from approximately 2.3 meters to 4.8 meters. These changes would result in the building being slightly more overbearing than existing however, on the basis of the existing circumstances and orientation, the dwelling in question would already suffer from such impacts, and on balance, further impacts over and above those existing are not considered to result in a material level of harm that would warrant refusal of the application. In terms of overlooking, two rooflights are proposed in the roof facing towards No.6 Hillside Court. These would serve a stairwell and a galleried area. As a consequence of these openings serving non-habitable areas and being positioned where views would be restricted, they are not considered to result in any materially harmful impacts in terms of overlooking.

Two new openings, to provide the required fire escapes have been proposed in the rear elevation of the coach house. These may have views over No. 6 Hillside Court and the dwelling known as Hillside. To ensure these openings would result in no further harm in terms of privacy and overlooking, their design has employed a mechanism to ensure they open solely in the event of a fire. A condition will be imposed to secure the design of the fire escapes.

On balance, although it is accepted that the increased height of the building would result in some further overbearing impacts, when considered against the existing circumstances, which are far from ideal, it is not considered that the additional harm caused would be of a level that would warrant refusal of the application. There are no other materially harmful impacts raised that would result in the scheme being unacceptable on grounds of residential amenity. Therefore, the proposed development is considered to be in accordance with Policy D2 of the adopted Local Plan.

Highway Considerations

The County Highways Authority have raised no objections subject to the imposition of conditions.

The site is accessed via two accesses off Main Street/The Delph and no changes are proposed to either of these access points.

Whilst the County Highways Authority have commented that the existing accesses would not strictly comply with their Standing Advice, on balance they would not seek to resist the application on the basis that the Delph is a lightly trafficked road, there is sufficient space at the junction of The Delph and Main Street for vehicles entering the Delph to wait on Main Street whilst vehicles exist the site, should this be necessary and on the basis that the proposed use would only generate a minimal increase in traffic.

It is accepted that the parking layout proposed would be acceptable and a condition is recommended to secure this.

Paragraph 32 of the NPPF advises that applications should only be refused on highway grounds where the cumulative impacts are severe. On the basis of the above discussion, it is considered that the proposal would not conflict with the principles of this Paragraph or the aims of Policy IF4 or IF7 of the adopted Local Plan. Therefore on grounds of highway safety, the proposal is considered acceptable.

Other Issues

As the proposed units of holiday accommodation would fall within Class C3 of the Town and Country Planning (Use Classes) Order 1987, they would benefit from permitted development rights. Given that the buildings are Grade II Listed or in the case of the garage, curtilage Listed and are situated within the Conservation Area, in the interests of preserving the character of the Listed Building, its setting and the Conservation area, it is considered necessary to impose a condition removing permitted development rights.

Conclusion

The principle of tourist accommodation within the settlement boundary of Breedon on the Hill is considered acceptable. The proposal is not considered to have any significant detrimental impacts in terms of design or on character and appearance. Although there would be some harm caused as a result of the increased height of the ridge and eaves line of the existing garage block, when considered against the existing circumstances, this issue alone would not warrant refusal of the application and there are no other significantly harmful impacts in terms of residential amenity. Furthermore, there are no highway safety concerns. It is considered that the proposal would preserve the character and appearance of the Conservation Area and would not harm the Listed Building or its setting. There are no other relevant material planning considerations that indicate planning permission should not be granted. The proposal is deemed to comply with the relevant policies in the adopted Local Plan, the advice in the NPPF and the Council's Good Design SPD. Accordingly the application is recommended for planning permission, subject to the imposition of planning conditions.

RECOMMENDATION - PERMIT subject to the following conditions:-

1. Timescale
2. Approved plans
3. External materials
4. Windows and doors
5. Details of fire escape doors
6. Parking and turning
7. Holiday accommodation only
8. Permitted development removal