

Retention of internal alterations to staircase

**Report Item No
A2**

**The Grange 69 Church Street Donisthorpe Swadlincote Derby
DE12 7PX**

**Application Reference
18/01334/LBC**

**Grid Reference (E) 431306
Grid Reference (N) 313842**

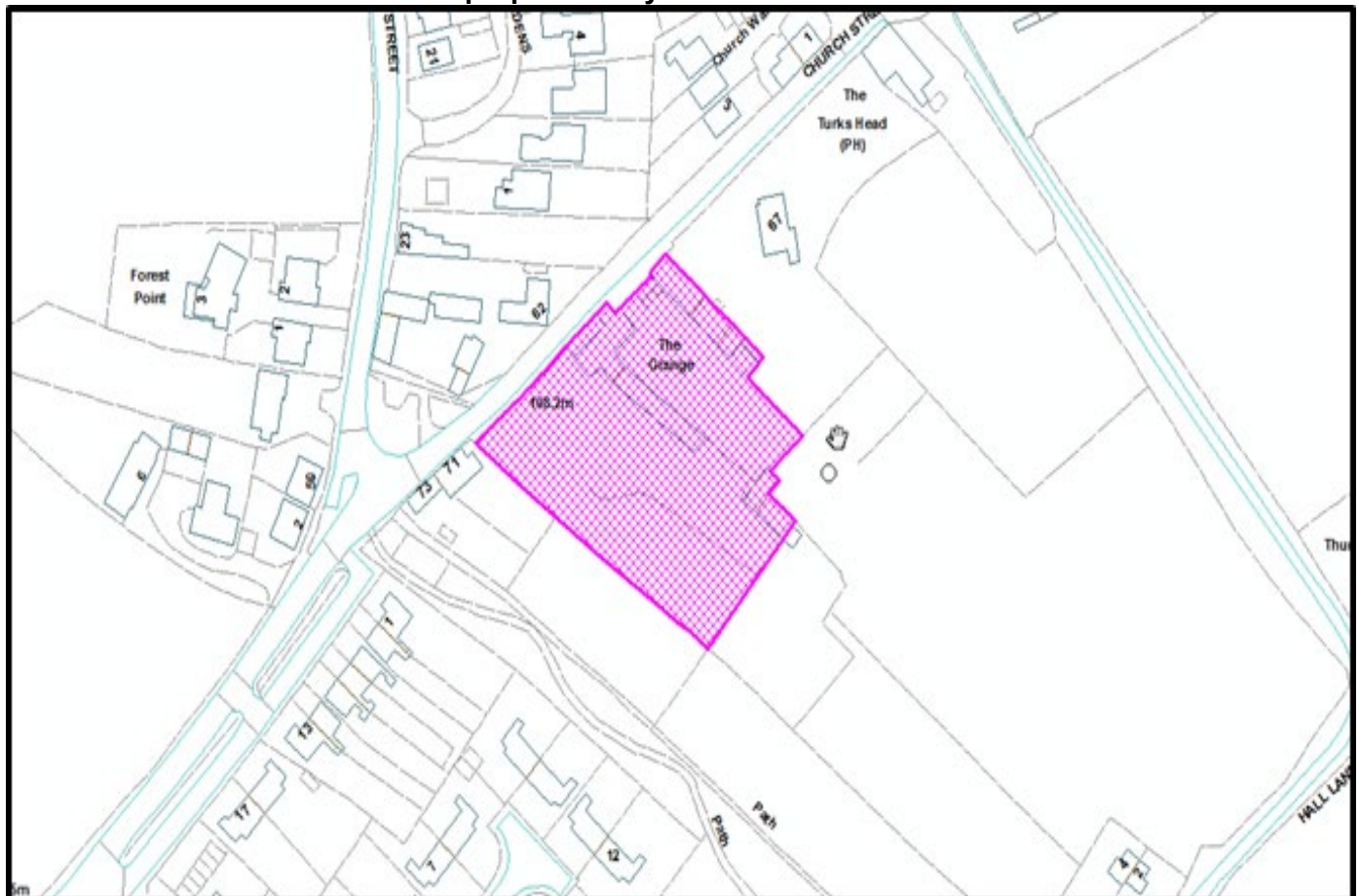
**Date Registered:
2 August 2018
Consultation Expiry:
29 October 2018
8 Week Date:
27 September 2018
Extension of Time:
None Agreed**

**Applicant:
Mr S Marston**

**Case Officer:
Sarah Booth**

**Recommendation:
PERMIT**

Site Location - Plan for indicative purposes only



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Executive Summary of Proposals and Reasons for Approval

Reason for Call In

The application is called in to Planning Committee as the Ward Member (Councillor Ashman) has requested it to be considered by Planning Committee due to impacts on the fabric of the Listed Building.

Proposal

Listed Building Consent is sought for the retention of an internal staircase at the Grange 69 Church Street Donisthorpe.

Consultations

Members will see from the main report below that there are objections raised from two neighbours.

There are no other objections raised from statutory consultees.

Planning Policy

The site is located within Limits to Development as defined by the adopted Local Plan. The application has also been assessed against the relevant policies in the NPPF, the Planning (Listed Buildings and Conservation Areas) Act, the adopted Local Plan and other relevant guidance.

Conclusion

The key issues are:

- Impacts on the Fabric and Character of the Listed Building

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, the applicable paragraphs of the NPPF and Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act.

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 and the Officer's assessment, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1. Proposals and Background

Listed building consent is sought retrospectively for the retention of an internal staircase at the Grange, 69 Church Street, Donisthorpe. A staircase was approved under application 11/00103/LBC in a similar location to the one subject to this application, this application seeks consent to retain the staircase in this revised position.

Members are advised that unauthorised works have also taken place on site consisting of the replacement of three single glazed window frames with double glazed timber framed windows to the second floor dormer windows on the front elevation. During the course of this application it was intended to include these works in the current listed building consent application, however the applicant has withdrawn these works from the current application due to concerns raised by the Conservation Officer. The applicant is currently working with the Conservation Officer and the Council's enforcement team with a view to submitting a new application to addresses the concerns raised.

Members are therefore advised that the only matter for consideration in this application is the retention of an unauthorised internal staircase.

This application should be read in conjunction with the report for full planning permission ref: 18/01333/FUL which is also reported on this Planning Committee agenda.

Recent Planning History:-

18/01333/FUL - Retrospective planning application for the change of use of dwelling to holiday let and retention of outbuilding (Pending consideration).

11/00140/FUL Erection of a single storey orangery, conversion of attached outbuilding to habitable accommodation, conversion of detached outbuilding to ancillary accommodation, reconstruction of former detached outbuilding and various external alterations PER 11.08.2011.

11/00103/LBC Erection of a single storey orangery, conversion of attached outbuildings to habitable accommodation, conversion of detached outbuilding to ancillary accommodation, reconstruction of former detached outbuildings and various internal and external alterations (Listed Building Consent) PER 07.04.2011.

10/01091/LBC External and Internal alteration to The Grange and restoration of Greenhouse in the garden area (Listed Building Consent) PER 13.01.2011.

10/00901/LBC Formation of new opening in garden wall. PER 09.11.2010.

2. Publicity

15 Neighbours have been notified.

Site Notice displayed 10 August 2018.

Press Notice published Leicester Mercury 22 August 2018.

3. Summary of Consultations and Representations Received

The following summary of responses is provided.

Oakthorpe and Donisthorpe Parish Council - no comments have been received in relation to this application.

Conservation Officer - comments incorporated into the following report.

Historic England - No objections.

Third Party Representations:

- Any permission granted should be in keeping with the old building.
- Noise concerns.
- Events taking place in unsocial hours.
- Management is not local so cannot police the use of the site.

4. Relevant Planning Policy

In considering whether to grant listed building consent for any works, s16 of the Planning (Listed Buildings & Conservation Areas) Act 1990 states that the local planning authority "shall have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest that it possesses".

Generally the National Planning Policy Framework (NPPF) advises us to "take account of the desirability of sustaining and enhancing the significance of heritage assets". The NPPF attaches great weight to the conservation of designated heritage assets and advises that "any harm or loss should require clear and convincing justification". Where proposed works would lead to less than substantial harm, this should be weighed against the public benefits of the proposal.

National Planning Policy Guidance (NPPG) advises that "reducing or removing risks to a heritage asset" should be considered a public benefit.

Historic England has published an advice note, 'Making changes to heritage assets' (2016). The advice note "illustrates the application of the policies set out in the NPPF in determining applications for listed building consent". The advice note says that "repairs to a listed building may require consent" and that "the loss of historic fabric following repairs [should] be proportionate to the nature of the works".

5. Assessment

The main consideration in the determination of the application relates to whether the works proposed will preserve the architectural and historical character of the building.

Impacts on the Fabric and Character of the Listed Building

The application property, known as The Grange, is a Grade II Listed building. There are also several outbuildings on site which are curtilage listed. A staircase was approved under application 11/00103/LBC in a similar location to the one subject to this application, this application seeks consent to retain the staircase in this revised position.

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."

The Staircase in question is constructed in metal and has a traditional appearance sympathetic to the character of the listed building. The staircase is located in the ground floor living room towards the rear of the house and leads to a storage / landing area on the first floor above. A staircase was previously approved under application 11/00103/LBC in the opposite corner of the

same room and it is not considered that the relocation of the staircase differs significantly or harmfully from the previously approved application. The Conservation Officer has raised no objections to these works and there is no adverse impact on the fabric of the listed building.

In view of the above it is considered that the staircase would not adversely impact on the fabric of the listed building due to its design, scale and its minimal impact on the character of the building. As such the proposal would not result in harm to the designated asset and would therefore comply with the NPPF, Section 16 of the Planning (Listed Buildings & Conservation Areas) Act 1990 and Historic England's guidance.

It is therefore recommended that Listed Building Consent is granted subject to conditions.

Other Issues

The concerns raised within the letters of representation in relation to the change of use application are not material to the consideration of this application for Listed Building Consent, but have been fully appraised within the accompanying application for planning permission.

RECOMMENDATION - PERMIT subject to the following condition:-

- 1 Approved plans