



## **EXECUTIVE SUMMARY OF PROPOSALS**

### **Call In**

The application is brought to the Planning Committee as the applicant is related to a serving councillor (Richard Blunt).

### **Proposal**

Retrospective listed building consent is sought for "as built" changes associated with the conversion of a curtilage listed stable building into three residential units within the grounds of Breedon Hall.

### **Consultations**

In the circumstances that the proposed access off The Delph is omitted from the application it is considered that there are no objections from statutory consultees or third parties to the "as built" changes.

### **Planning Policy**

It is considered that the development would comply with all relevant Paragraphs of the National Planning Policy Framework (NPPF) as well as the relevant Policies of the North West Leicestershire Local Plan and Sections 66 and 72 of the Planning (Listed Buildings and Conservation) Act 1990.

### **Conclusion**

The principle of the works associated with the conversion of the building into residential units has been established as being acceptable by virtue of the approval of listed building consent application references 12/01007/LBC and 13/00677/LBC. In these circumstances the only matters for consideration relate to whether the 'as built' changes would impact on the historic integrity of the heritage assets.

It is considered that the changes undertaken are either relatively minor or have resulted in the omission of features. The Council's Conservation Officer has assessed the amendments undertaken and has raised no objections. Given that the works undertaken have been designed to be sympathetic to the host building it is considered that the significance of the heritage assets would, at the very least, be preserved.

On this basis the proposed development would accord with Paragraphs 131, 132 and 134 of the NPPF, Policy E4 of the Local Plan and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1992.

It is therefore recommended that listed building consent be granted.

### **RECOMMENDATION - APPROVE, 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

Listed building consent is sought, retrospectively, for the conversion of unlisted former stable block within curtilage of listed building into 3 residential units including external works and off-street parking at Breedon Hall, Main Street, Breedon on the Hill. Breedon Hall is a Grade II Listed Building located 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 brick outbuildings that are two-storeys in height. The outbuilding to the east of the approach to Breedon Hall is the subject of this application which is a former stable block.

Listed building consent was granted under application reference 12/01007/LBC, approved on the 13th February 2012, for a 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 and this permission has been implemented. This consent, however, was varied by permission granted under application reference 13/00677/LBC, approved on the 14th November 2013, for a 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 rooflights on north east roof plane)

Various changes have been made which conflict with the approved plans and as such an application has been submitted to rectify this issue, following an enforcement investigation 15/00049/LB, with the changes being as follows: -

1. The roof light positions have changed although the total number would remain the same;
2. The omission of one new window on the rear elevation of Unit 1;
3. The installation of polycarbonate sheeting over the original coal drop to Unit 1 to provide additional day light to the stair in this dwelling;
4. The provision of a window in the area of the building previously designated to be the bin store, although this would now become a communal laundry room serving Units 1, 2 and 3;
5. The omission of the previously designated new plant room at the northern end of the building;

The above changes are 'as built' changes and whilst consent was originally sought for the provision of a vehicular access to and from The Delph this element of the proposal has now been removed from this particular application following the concerns raised by the Council's Conservation Officer.

An application for the variation of conditions 2 and 6 attached to planning permission reference 12/01006/FUL, as well as 13/00695/NMA, is also under consideration with the Local Planning Authority and forms the basis of a separate report.

A design and access statement and heritage statement have been submitted in support of the application.

The planning history of the site is as follows: -

- 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 side 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 - 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 previous proposed for retention - Approved 14th November 2013.

## 2. Publicity

13 Neighbours have been notified (Date of last notification 3 July 2015)

Site Notice displayed 17 July 2015

Press Notice published 15 July 2015

## 3. Consultations

Breedon On The Hill PC consulted 3 July 2015

County Archaeologist

NWLDC Conservation Officer

Christine James NWLDC Enforcement

## 4. Summary of Representations Received

The following summary of representations is provided.

**Breedon on the Hill Parish Council** objects to the application on the following grounds:-

- *"We believe that the desirability of preserving the building which is Grade II Listed would be overridden by the loss of the existing exterior wall fronting The Delph;"*
- *"Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 makes it clear that in considering whether to grant planning permission which affect a listed building or its setting the decision maker shall have special regard to the desirability of preserving the building or its setting."*

**Leicestershire County Council - Archaeology** no representation received.

**NWLDC - Conservation Officer** has no objections to the 'as built' changes to the building but does object to the formation of a new vehicular access off The Delph as it would weaken the strong boundary treatment of the listed building and curtilage listed building and would not preserve the character and appearance of the conservation area.

## Third Party Representations

Two no. representations have been received from the occupants of the Old Vicarage and No. 52 Main Street who object to the application and whose comments are summarised as follows: -

- It is stated that the new vehicular access is required for the convenience of residents, however, it would surely not be too inconvenient to expect residents to use the existing driveway which is only a few metres away;
- It cannot be acceptable to shoehorn a pair of modern timber gates into such an historic structure as this wall;
- The proposal would be incongruous with it not being relevant that as the wall was 'non-original' it is less important as this is irrelevant when considering the wall as a complete entity: an historic boundary wall that surrounds the grounds of the house;
- It is perfectly possible to rebuild the section of wall that has been demolished as a similar

- section was successfully rebuilt along The Delph just a few years ago;
- The heritage statement at Paragraphs 1.12, 1.13, 11.1 and 11.3 contradict the statement within Paragraph 15.3 of the Heritage Appraisal with the proposed access being visually detrimental and resulting in impacts on highway safety.

## **5. Relevant Planning Policy**

### **National Policies**

#### *National Planning Policy Framework*

The NPPF (Paragraph 215) indicates that due weight should be given to relevant policies in existing development plans adopted before 2004 according to their degree of consistency with the Framework. The closer the policies in the development plan to the policies in the Framework, the greater weight they may be given.

Save where stated otherwise, the policies of the North West Leicestershire Local Plan as listed in the relevant section below are consistent with the policies in the NPPF and, save where indicated otherwise within the assessment below, should be afforded weight in the determination of this application.

The following sections of the NPPF are considered relevant to the determination of this application:

Paragraph 17 (Achieving sustainable development);  
Paragraph 131 (Conserving and enhancing the historic environment);  
Paragraph 132 (Conserving and enhancing the historic environment);  
Paragraph 134 (Conserving and enhancing the historic environment);  
Paragraph 203 (Planning conditions and obligations);  
Paragraph 204 (Planning conditions and obligations);

### **Adopted North West Leicestershire Local Plan (2002)**

The application site is within the Limits to Development as defined in the adopted North West Leicestershire Local Plan. The following Local Plan policies are relevant to this application:

Policy E4 - Design;

### **Other Policies**

#### **National Planning Practice Guidance**

In March 2014 the Government published National Planning Practice Guidance (NPPG) to supplement the NPPF. The Guidance does not change national policy but offers practical guidance as to how such policy is to be applied.

### **Planning (Listed Buildings and Conservation Areas) Act 1990**

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that when considering whether to grant planning permission for development which affects a listed building or its setting, 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 which it possesses.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (1990 Act) requires that special regard shall be had to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

## 6. Assessment

The principle of the works associated with the conversion of the building into residential units has been established as being acceptable by virtue of the approval of listed building consent application references 12/01007/LBC and 13/00677/LBC. In these circumstances the only matters for consideration relate to whether the 'as built' changes would impact on the historic integrity of the heritage assets.

In respect of the 'as built' changes which have occurred to the dwellings the Council's Conservation Officer has commented that *"I consider the alterations to generally be acceptable and have a minimal impact on the historic fabric, character and appearance of the outbuildings. The majority of the changes relate to fenestration and I consider these to be sufficiently sympathetic and of acceptable materials and suitability to have no undue impact on the heritage asset."* This aspect of the development is therefore considered to be appropriate and would preserve the significance of the heritage assets.

The initial concerns of the Council's Conservation Officer and residents have been addressed by deleting the proposed access to the site from The Delph.

On this basis the proposed development would accord with Paragraphs 131, 132 and 134 of the NPPF, Policy E4 of the Local Plan and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1992.

It is therefore recommended that listed building consent be granted.

### Summary Reasons for Granting Listed Building Consent

The 'as built' changes are relatively minor, in the context of the development as a whole, and also propose the omission of features that are no longer required. In the circumstances that the Council's Conservation Officer has raised no objections it is considered that the significance of the heritage assets would be preserved which would accord with Paragraphs 131, 132 and 134 of the NPPF, Policy E4 of the Local Plan and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

### RECOMMENDATION - PERMIT, subject to the following conditions;

- 1 The proposed development, with the exception of the proposed access drive off The Delph which is not approved, shall be carried out strictly in accordance with the following drawing numbers: -
  - Drawing Number 2070 - 01 A (Survey as Existing) received by the Local Authority on the 30th June 2015;
  - Drawing Number 2070 - 02 E (Proposed Plans & Elevations) received by the Local Planning Authority on the 30th June 2015;
  - Drawing Number 2070 - 04 A (Block Plan) received by the Local Planning Authority on the 30th June 2015;
 Unless otherwise required by another condition.

*Reason - to determine the scope of the permission.*

- 2 Notwithstanding the details shown on Drawing No. 2070-04A, this planning permission does not authorise the provision of a vehicular access off The Delph as confirmed by the agents e-mail dated 12th August 2015.

*Reason - for the avoidance of doubt.*

- 3 The development shall be constructed in accordance with the following materials: -
- Bricks - Salvaged bricks;
  - Lintels - As shown on drawing numbers 2070 - 05 (Proposed Joinery Details for Doors) and 2070 - 06 (Proposed Joinery Details for Windows), received by the Local Authority on the 5th September 2013;
  - Roofing Materials - To match existing roof tiles if any are necessary;
  - Rain Water Goods - Black Powder Coated Aluminium Rainwater Goods and Proposed Outlet Pipes and Mechanical Extraction Systems as specified in the letter from David Richards of Montague Architects to James Mattley of the 4th September 2013 (Ref: DRR MAJ 2070), received by the Local Authority on the 5th September 2013, in the positions shown on drawing number 2070 - 02 C (Proposed Plans & Elevations), received by the Local Authority on the 5th September 2013;
  - Windows and Doors - As shown on drawing numbers 2070 - 05 (Proposed Joinery Details for Doors) and 2070 - 06 (Proposed Joinery Details for Windows) with the materials as specified on drawing number 2070 - 02 C (Proposed Plans & Elevations), received by the Local Authority on the 5th September 2013;
  - Rooflights - in accordance with the details supplied by the Rooflight Company on the drawing referenced CR\_WRCS\_LS\_B, received by the Local Authority on the 5th September 2013;
- As discharged in the correspondence from James Mattley to Andrew Shannon of Montague Architects of the 3rd October 2013 under application reference 12/01007/LBC.

*Reason - to ensure that the works are executed in an appropriate manner given the sites location in within the curtilage of a Listed Building.*

- 4 The external lighting or floodlighting shall be installed without the prior written approval of the Local Planning Authority.

*Reason - to ensure that any lighting does not impact on the special architectural or historic interest of the Listed Building.*

- 5 The development shall be carried out in strict accordance with the Historic Buildings Survey of Former Stable Building at Breedon Hall, Breedon on the Hill, Leicestershire by Pre-Construct Architecture (Ref No. 11491), attached to an email from David Richards of Montague Architects to James Mattley of the 13th September 2013, received by the Local Authority on the 13th September 2013, and as discharged in the correspondence from James Mattley to Andrew Shannon of Montague Architects of the 3rd October 2013 under application reference 12/01007/LBC.

*Reason - to ensure satisfactory archaeological investigation and recording.*

### **Notes to applicant**

- 1 Listed building consent has been granted for this proposal. The Local Planning Authority acted pro-actively through early engagement with the applicant at the pre-application stage which led to improvements to the scheme. The Local Planning Authority has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraphs 186 and 187) and

in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

2 You are reminded to comply with conditions attached to 15/00648/VCI.