

Erection of a first floor extension, new chimney and a 6 metre flag pole within the front garden area

Report Item No  
A9

5 Main Street Ravenstone Coalville Leicestershire LE67 2AS

Application Reference  
16/00322/FUL

Applicant:  
Mr Nigel Smith

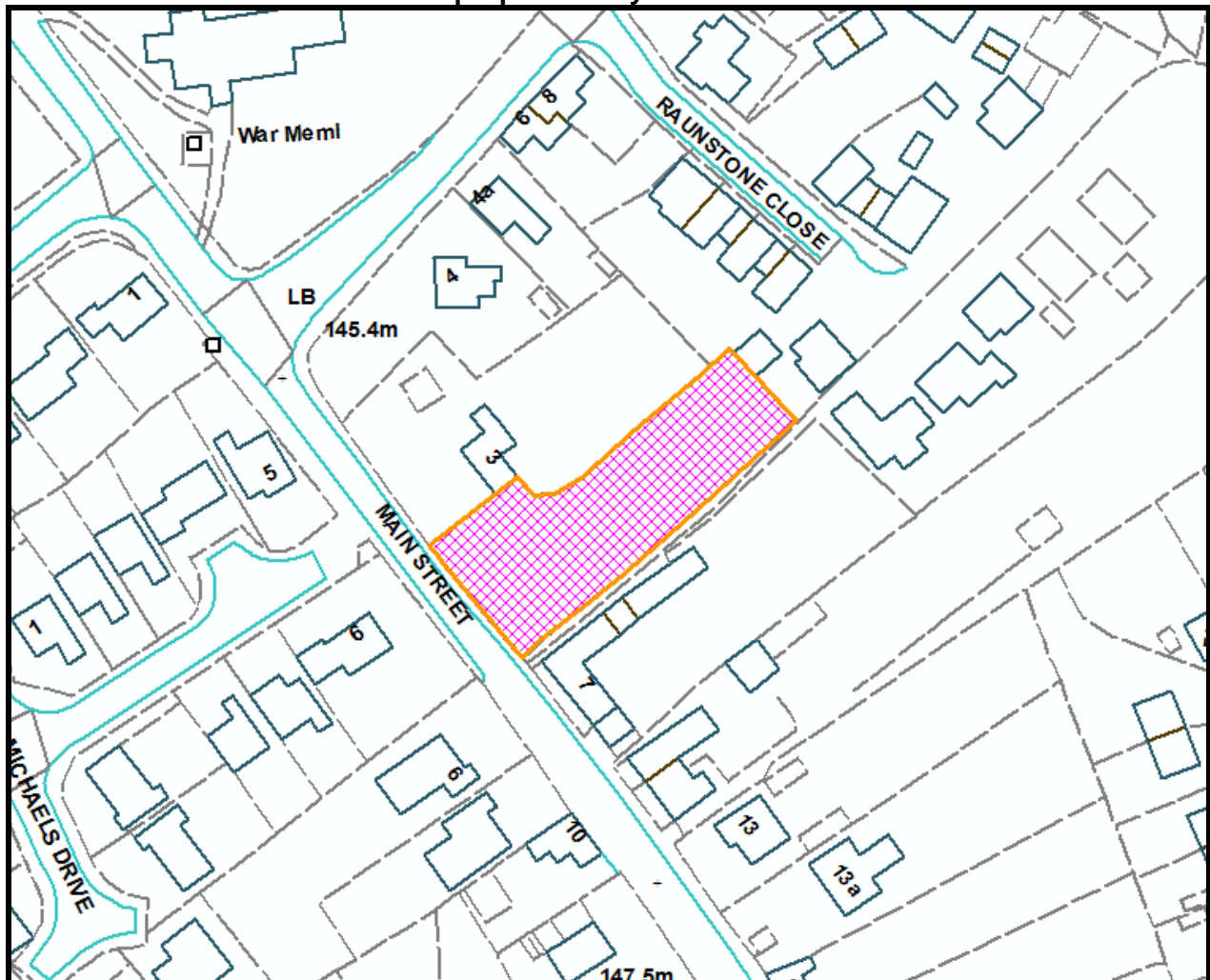
Date Registered  
14 March 2016

Case Officer:  
Robert McKillop

Target Decision Date  
9 May 2016

Recommendation:  
PERMIT

Site Location - Plan for indicative purposes only



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## **EXECUTIVE SUMMARY OF PROPOSALS AND REASONS FOR APPROVAL**

### **Call In**

The application is brought to the Planning Committee as the applicant is Councillor Nigel Smith and the local planning authority has received an objection to the scheme from the Parish Council.

### **Proposal**

Planning permission is sought for the erection of a first floor extension, new chimney and a 6 metre flag pole within the front garden area. The site is within the limits to development as designated on the Proposals Map to the Local Plan and also lies within the Ravenstone Conservation Area.

### **Consultations**

Members will see from the report below that no letters of objection have been received from members of the public. Ravenstone with Snibston Parish Council has stated objection to the application on the basis that the proposed works would impact on the street scene.

### **Planning Policy**

The application is considered acceptable in principle given the position of the site within the limits to development and the application would accord with all other Policies within the North West Leicestershire Local Plan as well as relevant Paragraphs of the National Planning Policy Framework (NPPF).

### **Conclusion**

The application is acceptable in principle and would not affect the residential amenity of neighbours. The development would have an acceptable visual impact and would not affect the character or appearance of the Ravenstone Conservation Area, or the setting of the adjacent Listed Building. The application is therefore considered to accord with the relevant policies in the Local Plan, in this case S2, E3, E4 and would not conflict significantly with guidance within the NPPF and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. It is therefore recommended that the application be permitted.

### **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 recommended conditions, and Members are advised that this summary should be read in conjunction with the detailed report.

## MAIN REPORT

### 1. Proposals and Background

Planning permission is sought for the erection of a first floor extension, new chimney and a 6 metre flag pole within the front garden area at No.5 Main Street, Ravenstone. The subject property is a two storey detached dwelling within the Ravenstone Conservation Area. The site is adjacent to No7 Main Street which is a Listed Building.

The proposed first floor extension would be to the rear of the property, with the proposed chimney on the north facing side elevation. Amended plans have been received during the course of the application to clarify the design of the proposed extension and show amendments to the proposed chimney.

#### Relevant Planning History:

01/01143/FUL - Extensions and alterations to dwelling and new railings and gate to existing front wall. Permitted.

14/00619/FUL - Single storey rear extension to dwelling and garage along with the erection of a single storey detached studio. Permitted.

15/01086/TCA - Removal of a rowan tree (Unprotected tree located within the Conservation Area). Permitted.

### 2. Publicity

4 no neighbours have been notified (Date of last notification 16 March 2016)

Site Notice displayed 16 March 2016

Press Notice published 23 March 2016

### 3. Consultations

Parish Clerk - Ravenstone With Snibston Parish Council consulted 16 March 2016  
NWLDC Conservation Officer

### 4. Summary of Representations Received

No public letters of representation have been received during the course of this application.

Ravenstone with Snibston Parish Council objects to the application for the following reasons:

- The chimney is not in keeping with the design and appearance of the property and will impact on the street scene;
- The flag pole will impact on the street scene.

### 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 131 (Conserving and enhancing the historic environment)

Paragraph 132 (Conserving and enhancing the historic environment)

Paragraph 134 (Conserving and enhancing the historic environment)

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

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

Policy S2 - Limits to Development

Policy E3 - Residential Amenities

Policy E4 - Design

### **Other Policies**

### **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**

### **Principle**

The site is located within the Limits to Development as set out on the Proposals Map to the Local Plan where the principle of this type of development would be acceptable subject to impacts upon design, heritage, amenity and any other material considerations.

### **Design and Impact on Heritage Assets**

Section 72 (1) 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. Section 66(1) states that when considering whether to grant planning permission for development which affects a listed building or its setting, the 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. Paragraph 131 requires amongst other things new development to make a positive contribution to local character and distinctiveness. Paragraph 132 of the Framework stipulates 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 requires harm to be weighed against the public benefits of the proposal. Policy E4 of the Local Plan requires new development to respect the character of its surrounding.

It is noted that Ravenstone with Snibston Parish Council object to the proposed development on the basis that the proposed chimney and flag pole would impact on the street scene. Consideration has been given to the design of the proposed development and whether it would have an acceptable impact on the setting of the adjacent Listed Buildings and the character of the Ravenstone Conservation Area. The Council's Conservation Officer has advised that there would be no objection to the first floor extension on the basis that it would generally reflect the character of the principal building and would be subservient to the scale of that building. Furthermore, the Conservation Officer does not object to the proposed flag pole on the basis that it would be viewed among lamp posts and telegraph poles currently within the street scene.

In relation to the proposed chimney, the Council's Conservation Officer originally advised that chimney design would appear contrived and that projecting chimney stacks are not characteristic of traditional building in this area. These concerns were discussed with the applicant and amended plans have subsequently been received to address the concerns showing a reduced projection and straight stack with the overall height reduced. The Conservation Officer has acknowledged that this would result in a more simple design and although the projecting chimney stack would remain uncharacteristic of traditional buildings in the area, the proposed amendments would result in a less obtrusive appearance. It is also noted that the position on the side elevation and significant boundary screening in the form of trees and shrubs and the boundary wall itself would ensure it is not a prominent feature within the street scene. On this basis it is deemed that the proposed development would not have any significant detrimental impact on the character or appearance of the Ravenstone Conservation Area.

In terms of the impact on the setting of the Listed Building to south east, No.7 Main Street, the proposed chimney would be on the opposite side elevation and, in combination with the proposed flag pole, would represent a minor form of development. The proposed rear extension would be subservient in scale to the existing dwelling and screened from views to the front along Main Street. Overall, the proposed development is considered not to affect the setting of the Listed Building or have an adverse impact on the character and appearance of the Ravenstone Conservation Area. The application is deemed to accord with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Paragraphs 131, 132 and 134 of the NPPF and Policy E4 of the Local Plan.

### **Residential Amenity**

No letters have been received from neighbours. The only likely affected neighbours would be No.7 Main Street to the south east of the site and No.3 Main Street to the north west. Given the relatively minor scale of the flag pole and chimney it is deemed that they would not have any impact on residential amenity. The proposed first floor extension would be set at least 11 metres away from the boundary with No.3 Main Street and would not lead to any overshadowing or overbearing impacts. There is a public footpath between the subject property and No.7 Main Street, and this neighbouring property projects in a similar linear fashion along the side boundary to the rear. The proposed extension would project 3.5 metres behind the existing two storey element and given the lower ridge height proposed it is unlikely to significantly increase any overshadowing or overbearing impact on No.7. The proposed new window in the rear elevation would have an outlook towards the rear curtilage of the site, and although the proposed window in the side elevation would have an outlook towards No.3, it would be over 11 metres from the boundary which is marked by a wall of approximately 2 metres in height plus mature boundary shrubs offering screening. Given the proposed window would have a similar outlook to that of the existing first floor window in the site elevation, it is deemed that the application would not create any new outlook and would not allow for any significant new overlooking impacts towards No.3 Main Street.

Overall, the development would not have any significant detrimental impact upon neighbouring residential amenities and would accord with Policy E3 of the Local Plan.

### **Conclusion**

The application is acceptable in principle and would not affect the residential amenity of neighbours. The development would have an acceptable visual impact and would not affect the character or appearance of the Ravenstone Conservation Area, or the setting of the adjacent Listed Building. The application is therefore considered to accord with the relevant policies in the Local Plan, in this case S2, E3, E4 and would not conflict significantly with guidance within the NPPF and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. It is therefore recommended that the application be permitted.

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

- 1 The development shall be begun before the expiration of three years from the date of this permission.

*Reason- to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).*

- 2 The development shall be carried out and completed strictly in accordance with the following plans, unless otherwise required by another condition of this permission:

- Location (Site) Plan, received by the local planning authority on 14th March 2016;
- Existing Plans, received by the local planning authority on 4th April 2016;
- Proposed Plans, received by the local planning authority on 4th April 2016;

*Reason- to ensure complete and proper development of the site.*

- 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 with the Local Planning Authority.

*Reason- to ensure a satisfactory standard of external appearance.*

### **Notes to applicant**

- 1 Planning permission has been granted for this proposal. The Local Planning Authority acted pro-actively through positive engagement with the applicant during the determination process 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.