

APPLICATION NO	PA/2015/1247
APPLICANT	Mr I Spencer
DEVELOPMENT	Listed building consent to remove a supporting interior wall to open up the kitchen into a pre-existing extension
LOCATION	10 Ermine Street, Appleby, DN15 0AD
PARISH	Appleby
WARD	Broughton and Appleby
CASE OFFICER	Joe O'Sullivan
SUMMARY RECOMMENDATION	Refuse consent
REASONS FOR REFERENCE TO COMMITTEE	Applicant request to address the committee

POLICIES

National Planning Policy Framework: Paragraph 15 states that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking.

Paragraph 11 – Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

Paragraph 19 – The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

Paragraph 56 – The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Paragraph 59 – Local planning authorities should consider using design codes where they could help deliver high quality outcomes. However, design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally.

Paragraph 64 – Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Paragraph 128 – In determining applications, local planning authorities should require applicants 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.

Paragraph 129 – 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.

Paragraph 132 – 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 2 listed building, park or garden should be exceptional.

Paragraph 206 – Planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

Paragraph 215 – In other cases and following this 12-month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

Paragraph 216 – From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

North Lincolnshire Local Plan: Policies DS1 (General Requirements) and HE5 (Development Affecting Listed Buildings).

North Lincolnshire Core Strategy: Policies CS5 and CS6 (Historic Environment).

CONSULTATIONS

Conservation Officer: Objects. The application in its present form should be refused for non-compliance with section 66 of the Planning (Listed Building and Conservation Areas Act) 1990, council policy HE5, and the heritage principles and policies stated above in the NPPF.

HER Officer: This proposal does not adversely affect any heritage assets of archaeological interest or their settings.

Transportation: No objection.

PARISH COUNCIL

The parish council can see no reason why this application should not be granted.

There is already an extension on the back of the house which covers the walls, and the people living in the accommodation should be allowed to improve it to a standard where they can enjoy living in the house. The council supports this application.

PUBLICITY

Neighbouring properties have been notified by letter, and site and press notices posted. One letter of support has been received which states the following:

‘The existing room is particularly small. The removal of the wall does not affect the nature of the building other than to increase the space available and make it more suited to modern living for a young family.’

ASSESSMENT

In considering proposals which affect a listed building, regard has to be made of Section 16(2) (or Section 66(1) if it is a planning application affecting a listed building or its setting) of the Planning (Listed Buildings and Conservation Area Act) 1990, which requires local planning authorities to ‘have special regard to the desirability of preserving the building or its setting, or any features of a special architectural or historic interest which it possesses’.

Policy CS5 of the Core Strategy provides for the consideration of the existing built heritage from the earliest stages in the design process, in particular in terms of scale, density, layout and access. Policy CS6 of the Core Strategy also provides for the council to seek the protection, conservation and enhancement of North Lincolnshire’s historic environment, as well as the character and setting of areas of acknowledged importance, including historic buildings.

The application site is situated within the conservation area and 10 Ermine Street is a grade II listed building. 10 Ermine Street was built in the 1870s for the Winn Estate. As an estate house it was built in a particular style to create an original appearance for the village. It is constructed in dressed limestone, with red brick dressings and yellow brick details, and pantile roofs.

Important architectural features include windows with chamfered wooden mullions and glazing bars, in raised brick surrounds, with painted sills and rubbed-brick cambered arches, and a three-course stepped and cogged brick eaves cornice. 10 Ermine Street is

included as an example of the series of houses built in the village for Rowland Winn of Nostell, later Lord St Oswald, from plans published by the Salopian Society, N J Lyons, Small Houses since 1750 in North-West Lincolnshire, 1985. It has a 20th century conservatory at the rear of the building.

The applicant is applying to remove a significant section of the original rear wall and two stud walls from the lean-to extension to the rear of the building. The applicant states that the reason for the works is to open up the kitchen into the sunroom to create a more open-plan useable room, enabling a larger kitchen with space for a dining room. The applicant also states that the kitchen is currently very dark and suffers from only having one source of light, through the door of the existing extension.

A Heritage Statement has been submitted as part of this application, which acknowledges that the host property is located within the Appleby conservation area and is a grade II listed building. It provides some context in terms of the significance of the heritage asset and describes the proposal but does not provide justification for the works other than the above reasons.

When the lean-to extension was built, access was provided through the rear wall via a modest pair of rear doors. Although historic fabric has therefore previously been removed, this was a limited amount and permission predates current heritage best practice and policy.

The removal of the two stud walls from the lean-to extension to the rear of the building is not considered to affect the historic fabric, having being later additions associated with the lean-to extension. The kitchen wall (original limestone wall) is currently plastered to a smooth finish and painted white, and the applicant states that the remaining part of the wall would be re-plastered smooth and painted white retaining the current appearance, albeit with a significant loss of original limestone walling.

However, the original limestone rear wall delineates the building's original form and the evolution of the building over time can clearly be seen by the contrast between the rear wall and the later addition of the lean-to extension. Therefore the original rear wall contributes to the significance of the building by its sheer presence and is a significant part of the building's historic fabric. The Conservation Officer has confirmed that there is insufficient justification to remove the significant section of original limestone wall. Although the works are proposed to improve the applicant's use of the building as a residential property, due regard must be given to the general duty to preserve the listed building and the great weight to be given to its conservation in accordance with paragraph 132 of the National Planning Policy Framework (NPPF).

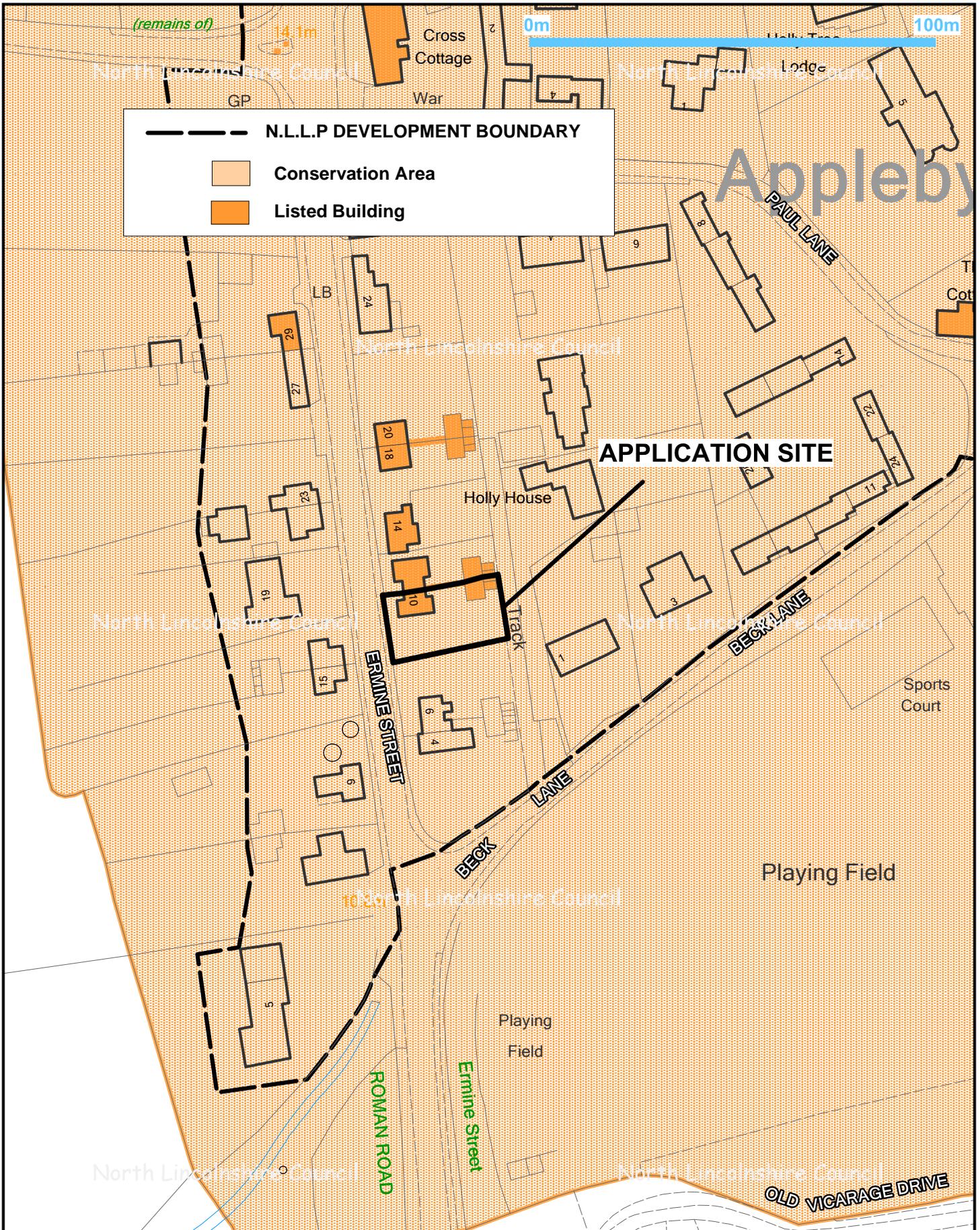
This report establishes that the limestone wall delineates the heritage asset's original form and is therefore a significant part of its historic fabric, the conservation of which should be given great weight. The proposal would result in the loss of historic fabric that contributes to the significance of the heritage asset and therefore harm would be caused to the heritage asset. As heritage assets are irreplaceable, loss or harm to them requires clear and convincing justification. No such justification exists and, in accordance with paragraph 132 of the NPPF, the heritage asset's conservation should be given paramount importance.

RECOMMENDATION Refuse consent for the following reasons:

This application proposes the removal of a significant section of the original limestone walling along the length of the conservatory. The wall contributes to the significance of the building as it delineates its original form and is a significant part of its historic fabric. There is insufficient justification to remove a significant section of original wall and it is therefore considered to be contrary to the provisions of policy HE5 of the North Lincolnshire Local Plan, policies CS5 and CS6 of the Core Strategy and the heritage principles and policies of the National Planning Policy Framework.

Informative

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



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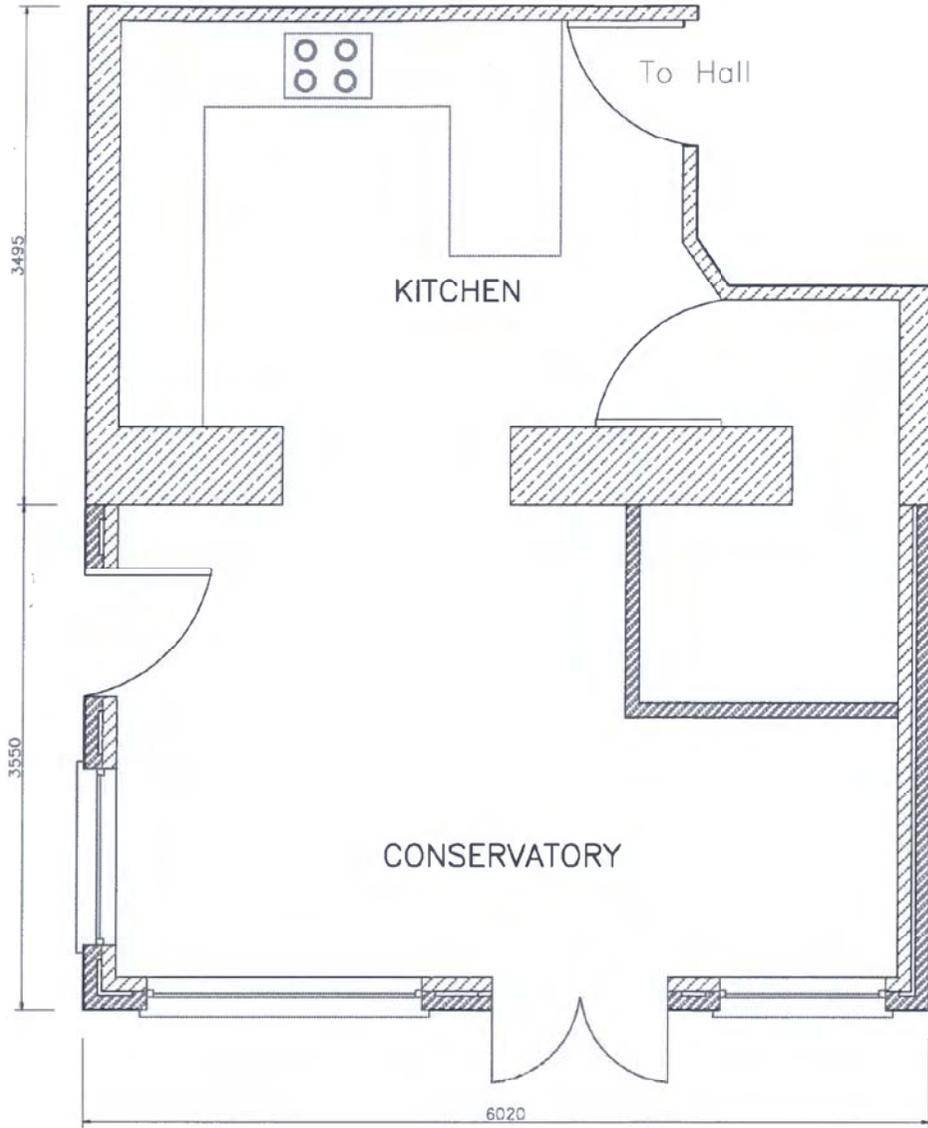


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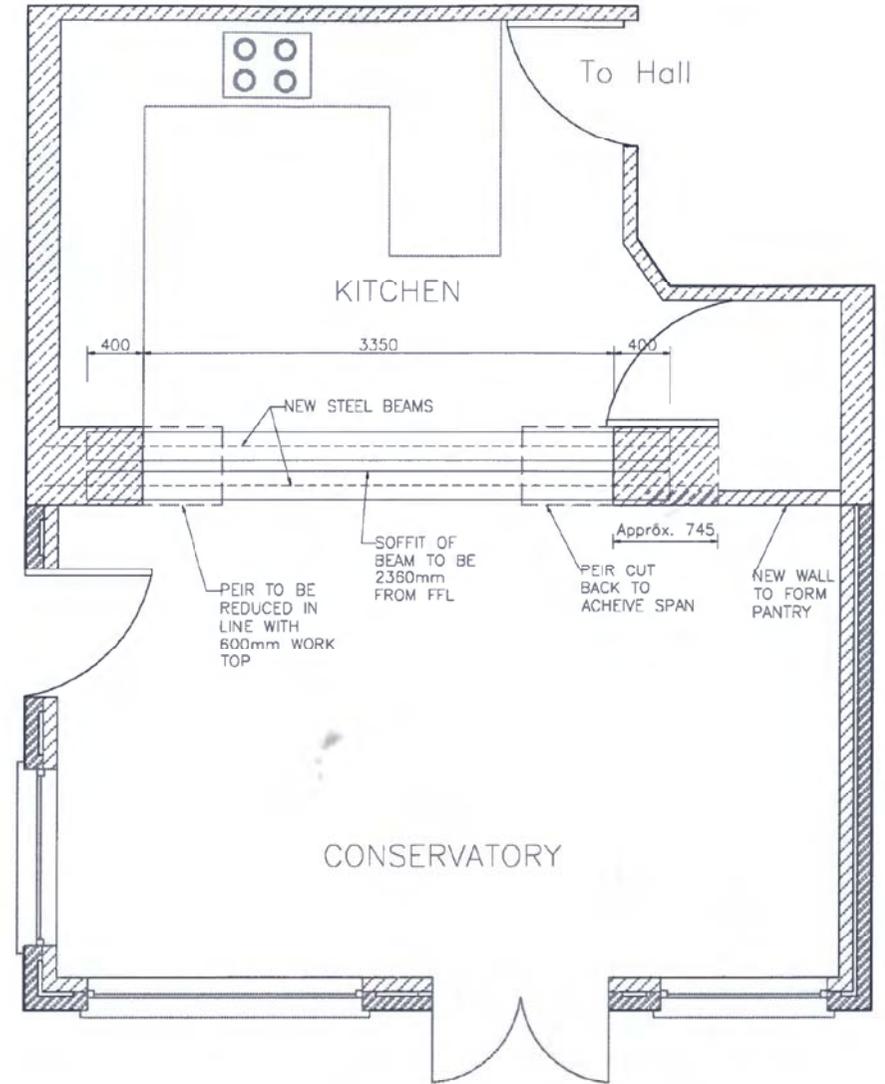


Director of Places
Peter Williams
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PA/2015/1247 - Existing and Proposed floor plans - Not to scale



EXISTING
KITCHEN AND CONSERVATORY LAYOUT



PROPOSED
KITCHEN AND CONSERVATORY LAYOUT