

<b>APPLICATION NO</b>	<b>PA/2016/1424</b>
<b>APPLICANT</b>	John Halmshaw Partners
<b>DEVELOPMENT</b>	Listed building consent for formation of new arched opening to west wall at walled garden
<b>LOCATION</b>	Wootton Hall, Vicarage Lane, Wootton, DN39 6SH
<b>PARISH</b>	Wootton
<b>WARD</b>	Ferry
<b>CASE OFFICER</b>	Andrew Law
<b>SUMMARY RECOMMENDATION</b>	<b>Grant consent subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objection by Wootton Parish Council

## **POLICIES**

**National Planning Policy Framework:** Paragraph 189 states that *“in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.”*

Paragraph 190 required local planning authorities to identify and assess the significance of heritage assets that may be affected by a proposal...taking account of the available evidence and any necessary expertise.

Paragraph 192 states that in determining applications, *“local planning authorities should take account of:*

- d) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- e) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- f) the desirability of new development making a positive contribution to local character and distinctiveness.”*

Paragraph 193 states 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 194 states that *“any harm to, or loss of, the significance of a designated heritage asset...should require clear and convincing justification.”*

**North Lincolnshire Local Plan:** Policy HE5 (Development affecting Listed Buildings)

## **North Lincolnshire Core Strategy: Policy CS6 (Historic Environment)**

### **CONSULTATIONS**

**Highways:** No objection or comments.

**Ecology:** Initially objected due to no protected or priority species surveys being undertaken. Following the submission of an ecological report following the requested survey work, the ecologist has removed their objection subject to conditions.

**HER (Conservation):** Initially objected to the application as design changes have been requested in relation to the linked planning application (PA/2016/1426) for eco-lodges. These design changes have now been agreed and as such the conservation officer has removed their objection.

**HER (Archaeology):** No objection subject to conditions.

**Historic England:** The erection of buildings within the walled garden as proposed would change its character and appearance, which, in turn, would result in harm to its significance as part of the estate ensemble of Wootton Hall. It will be for the local authority to weigh any harm against any public benefit and, if minded to approve the applications, be satisfied that any harm is substantiated by clear and convincing justification.

### **PARISH COUNCIL**

Wootton Parish Council objects to the proposal as it is quite considerable for a small village and the parish councillors have expressed concerns regarding noise and disturbance from use and the possible adverse effect on a listed building.

### **PUBLICITY**

Neighbouring properties have been notified by letter, and site and press notices posted. No comments or objections have been received.

### **ASSESSMENT**

This application was deferred at a previous meeting of the planning committee to enable members to visit the site prior to making a decision.

### **Site**

The application site consists of a former walled garden within the curtilage of Wootton Hall, a grade II\* listed building. The walled garden has not been used for some time and is currently an area of rough grassland. The enclosing brick walls are in a fair state of repair and stand approximately 3.7 metres above ground level. There is a small opening on the east side and a larger arched opening on the north side giving access to the enclosed space.

### **Proposal**

This application seeks listed building consent to install two arched openings in the western wall of the walled garden to provide additional access to the walled garden, which is

proposed to be developed for an eco-lodge development (PA/2016/1426) and to provide views out across the wooded grounds of Wootton Hall to the west of the walled garden.

**The main consideration in the determination of this application is whether the proposed alterations will have an unacceptable impact on the character or appearance of the listed walled garden or its setting.**

### **Principle**

National and local policy is supportive of the re-use and development of heritage assets provided that there is no significant adverse impact on the heritage asset, and advocates that great weight should be given to the conservation of the asset. Therefore, subject to an acceptable design, it is considered that the proposed development is acceptable in principle.

### **Design and impact on the listed building**

Policy HE5 of the North Lincolnshire Local Plan is the most relevant development plan policy and sets out the council's approach to development proposals affecting listed buildings and structures. This policy states that *"The council will seek to secure the preservation, restoration and continued use of buildings of special architectural or historic interest... Proposals which damage the setting of a listed building will be resisted."*

Whilst the walled garden is not listed in its own right, it is located within the curtilage of the grade II\* listed Wootton Hall and has importance associated with the setting of this building and the wider historic site. For this reason, all new development must be carefully and sympathetically designed so that the historic significance and fabric is conserved and there is no unacceptable impact on the character or appearance of the building or its setting.

The proposed development is linked to the proposed re-development of the walled garden for an eco-lodge development, which is the subject of planning application PA/2016/1426. Should this development be approved, the disused garden will be brought back into use, securing its long-term maintenance. The arched openings are relatively small and would not be an alien feature given the existing openings within the walls.

The council's conservation officer initially objected to the application, but this was based upon concerns with the linked planning application for eco-lodges and did not specifically relate to the proposed openings themselves. The concerns regarding the eco-lodge development have now been resolved and as such the conservation officer has removed their objection to this application.

### **Conclusion**

For the reasons outlined above, it is considered that the design of the proposed works is acceptable and that they will have no significant adverse effect on the character or setting of the listed building. Furthermore, the proposed development will help secure the long-term viability and maintenance of this important heritage asset. Therefore the proposed development is considered to be acceptable and this application should be supported.

**RECOMMENDATION**      **Grant consent subject to the following conditions:**

1.

The works must be begun before the expiration of three years from the date of this consent.

Reason

To comply with Section 18(1)(a) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2.

The development hereby permitted shall be carried out in accordance with the following approved plans: 1991/E4, 1991/L/P2 Revision B, 1991/7/P2 and 1991/7/P5.

Reason

For the avoidance of doubt and in the interests of proper planning.

3.

No development shall take place until samples of the external facing materials to be used have been submitted to and approved in writing by the local planning authority and only the approved materials shall be used.

Reason

To ensure that the development is in keeping with its surroundings in the interests of visual amenity, in accordance with policy DS1 of the North Lincolnshire Local Plan.

### **Informative**

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 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.

