

# AGENDA



For a meeting of the
<b>DEVELOPMENT CONTROL COMMITTEE</b>
to be held on
<b>TUESDAY, 20 NOVEMBER 2012</b>
at
<b>1.00 PM</b>
in the
<b>COUNCIL CHAMBER, COUNCIL OFFICES, ST PETERS HILL, GRANTHAM</b>
<b>Beverly Agass, Chief Executive</b>

Committee Members:	Councillor Mark Ashberry, Councillor Michael Cook, Councillor David Higgs, Councillor Reginald Howard, Councillor Mrs Rosemary Kaberry-Brown, Councillor Vic Kerr, Councillor Michael King, Councillor Charmaine Morgan, Councillor Alan Parkin (Vice-Chairman), Councillor Helen Powell, Councillor Mrs Judy Smith, Councillor Jacky Smith, Councillor Judy Stevens, Councillor Adam Stokes, Councillor Brenda A Sumner, Councillor Martin Wilkins (Chairman) and Councillor Debbie Wren
Committee Support Officer:	Malcolm Hall Tel: 01476 406118

**Members of the Committee are invited to attend the above meeting to consider the items of business listed below.**

- (1) THE BARN, ALLINGTON

## **PUBLIC SPEAKING**

Anyone who would like to speak at the meeting should notify the Committee administrator one working day before the time of the meeting. The deadline by which you must notify us for the 2011/12 meetings are:

<b>Meeting Date</b>	<b>Notification Deadline</b>
Tuesday 20 November 2012, 1pm	Monday 19 November 2012, 1pm
Tuesday 4 December 2012, 1pm	Monday 3 December 2012, 1pm
Tuesday 18 December 2012, 1pm	Monday 17 December, 1pm
Tuesday 11 December 2012, 1pm	Monday 10 December 2012, 1pm
Tuesday 8 January 2013, 1pm	Monday 7 January 2013, 1pm
Tuesday 5 February 2013, 1pm	Monday 4 February 2013, 1pm
Tuesday 5 March 2013, 1pm	Monday 4 March 2013, 1pm
Tuesday 26 March 2013, 1pm	Monday 25 March 2013, 1pm
Tuesday 23 April 2013, 1pm	Monday 22 April 2013, 1pm

If you would like to include photographs or other information as part of your presentation to the Committee, please send the information in an electronic format (e-mail with attachments, memory stick or disc) to the relevant case officer at least one working day before the meeting. If you are submitting hard copy information, please send it to the relevant case officer at least two working days before the meeting.

All speakers are at the Committee Chairman's (or Vice-Chairman's) discretion. Each person is allowed to speak for 3 minutes. Members of the Council are allowed to speak for 5 minutes in accordance with Council Procedure Rules.

Only one speaker for the applicant or the town and parish council will be allowed to speak. If there are several supporters or objectors to an application, they are encouraged to appoint a representative to present a joint case.

Development Control Committee members are able to ask questions about speakers' presentations. There is a time limit of 10 minutes for each speaker.

## **ORDER OF PROCEEDINGS**

1. Short introductory presentation by the case officer
2. Speakers (Committee members will ask questions after each speaker)
  - a. District Councillors who are not Committee members
  - b. Representative from town/parish council
  - c. Objectors to an application
  - d. Supporters of an application
  - e. The applicant or agent for the applicant
3. Debate – Councillors will discuss the application and make proposals
4. Vote – the Committee will vote to agree its decision

# Agenda Item 8a

**DEVELOPMENT CONTROL COMMITTEE  
20 NOVEMBER 2012**

**ITEM 7**

**APPEAL AGAINST NON-DETERMINATION, S12/1016/FULL & S12/1020/LB,  
CONVERSION OF BUILDING, BUILD TWO STOREY EXTENSION AND DEMOLISH  
GARAGE AND ROOM TO FORM SEPARATE DWELLING AND FORMATION OF NEW  
VEHICULAR ACCESS  
THE BARN, MAIN STREET, ALLINGTON**

An appeal against non-determination has been lodged as these two applications had not been decided within the eight week timescale; the application now falls to be decided by the Planning Inspectorate.

The applications have been referred to the Committee to provide the Inspectorate with an indication as to how the Council would have decided the applications had it been able to determine them.

The following reports assess the merits of the applications, having regard to relevant policies and other material planning considerations and recommend reasons for refusing both planning permission and listed building consent.

## **S12/1016/FULL**

### **Application Category**

The application is categorised as an 'MINOR' type of application

### **Reason for Referral to Committee**

An appeal against non-determination has been lodged as the application had not been decided within the eight week timescale; the application now falls to be decided by the Planning Inspectorate. The application has been referred to the Committee to provide the Inspectorate with an indication as to how the Council would have decided the proposal had it been able to determine the application.

### **The Proposal**

The proposal is to extend an existing barn and convert it into a separate dwelling with three bedrooms. The application involves the demolition of an existing garage, and involves the creation of a new access off the Main Street.

### **The application site and its surroundings**

The application proposes the extension and conversion of a barn within the curtilage of Corner House (Grade 11 listed) and the site lies within the centre of the Allington Conservation Area.

The application building is located directly to the west of Corner House which is located at the junction of The Green and Main Street. The Welby Arms Public House lies to the north of the application site and the Old Manor House (Grade 11\*) some 115 metres to the south west. Ilex Cottage and Berberene lie to the east of the application site; these two dwellings are good examples of vernacular cottages with gables onto the road and linear floor plans.

### **Site History**

The planning history of the site indicates that a application to build a bungalow and alter the vehicular access (SK.1/1047/75/1859) was refused on 30.12.1975. This refusal predated the confirmation of the Allington Conservation Area on 1.12.1990. The grounds for refusal were that the site was inappropriate for the development proposed by reason of its size and shape and highway safety reasons.

### **Policy Considerations**

National Planning Policy Framework

Section 7: Requiring Good Design.

Section 12: Conserving and enhancing the historic environment.

#### East Midlands Regional Policy

Policy 27: Regional priorities for the historic environment.

#### South Kesteven Core Strategy 2010

Policy SP1 - Spatial Strategy.

Policy EN1 - Protection and Enhancement.

#### **Other Relevant Documents**

None Relevant.

#### **Representations Received**

#### **Conservation**

The Principal Conservation Officer considers that the barn extension as proposed is not subservient to the barn by virtue of its excessive size and design and therefore does not respect the form and character of the barn. The proposal also involves the creation of an opening in the wall along Main Street. This is considered to introduce an unwelcome break in the attractive stone wall on this frontage, to the detriment of the street scene in this part of the Conservation Area.

#### **Policy**

The Planning Policy Officer has stated that development outside Local Service Centres would only be permitted where it makes a contribution to the character and appearance of the local area, the buildings subject of conversion are sound structurally and the works do not detract from the character of the building or its setting. As the site is adjacent to a Grade II listed building and within the Allington Conservation Area, the comments of the Conservation Officer are welcomed as being important in assessing the impact of the proposal.

#### **Archaeology**

The District Archaeologist has stated that the application does not affect any known archaeological site and therefore no archaeological intervention is required.

## **Highways**

The Highway Authority has recommended conditions.

## **Parish Council**

The Parish Council refer to a similar application which was refused. It points out that the wall will be partially removed to the detriment of the conservation area. Visibility from the proposed access is questioned.

## **Representations as a result of publicity**

The application has been advertised in accordance with the adopted Statement of Community Involvement. Representations have been received from a previous owner of the property. The objections are summarised as follows:

- The modern design proposed detracts from the setting of the Corner House and does not enhance it or the Conservation Area.
- The Heritage Statement does not refer to the importance of Main Street and the associated stone retaining wall and historic remnants of Saxon settlements.
- The setting of Corner House would be spoiled further with the resultant small garden, devoted mainly to parking and access.

## **Officer Evaluation**

### **KEY ISSUES**

Government planning policy through the NPPF, read in conjunction with local policy SP1 and EN1 supports the duty of authorities to ensure that development proposals either preserve or enhance the character or appearance of conservation areas and that special regard must be taken of the setting of listed buildings.

The proposal as submitted is to extend the existing barn to create a separate plot, demolish an attached garage and create a new access.

The extension is of modern design and of excessive size which relates poorly to the existing barn, the listed building and the conservation area. The provision of the new separate access will result in fragmentation of an attractive stone wall. Subdivision into two plots will result in a small garden for Corner house, which will be out of keeping with similarly sized dwellings of comparable importance in the locality.

Taken together, or individually, these impacts are such that it could not be argued that the proposed development would preserve or enhance the setting of Corner House or character and appearance of the Conservation Area. The

application would therefore be contrary to national and local policy and it is recommended that Committee indicate to the Planning Inspectorate that members would have been minded to refuse the application for the reasons outlined had the decision stayed within its remit.

### **Other Matters**

There were no other relevant matters at the time of writing.

### **Crime and Disorder Implications**

The site appears to raise no concerns relating to crime and disorder.

### **Human Rights Implications**

It should be noted that Article 6 (Right to fair decision making) and Article 8 (Right to private family life and home) will be taken into account in determining this application

It is considered that no other relevant Article will be breached.

### **CONCLUSION**

The Planning Inspectorate be informed that the Council would have been minded to refuse the application for the following reason:

The proposed development by virtue of its size and design would be detrimental to the setting of the adjacent listed and the neighbouring property (Corner House) and the character and appearance of the conservation area. The proposal would therefore be contrary to the core principles contained in Sections 7 (Requiring Good Design) and Section 12 (Conserving and Enhancing the Historic Environment) of the National Planning Framework (March 2012) in that it does not constitute high quality design and does not conserve or enhance the historic environment and the conservation area. The proposal would therefore be contrary to Policy EN1 of the Core Strategy (Adopted July 2010) as it would not reinforce local distinctiveness and sense of place nor would it contribute to the conservation, enhancement or restoration of the character of the District.

## **S12/1020/LB**

### **Application Category**

The application is categorised as an 'MINOR' type of application

### **Reason for Referral to Committee**

An appeal against non-determination has been lodged as the application had not been decided within the eight week timescale; the application now falls to be decided by the Planning Inspectorate. The application has been referred to the Committee to provide the Inspectorate with an indication as to how the Council would have decided the proposal had it been able to determine the application.

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It is considered that no other relevant Article will be breached.

### **CONCLUSION**

The Planning Inspectorate be informed that the Council would have been minded to refuse the application for the following reason:

The proposed development by virtue of its size and design would be detrimental to the listed building, and the neighbouring property (Corner House) and the character and appearance of the conservation area. The proposal would therefore be contrary to the core principles contained in Sections 7 (Requiring Good Design) and Section 12 (Conserving and Enhancing the Historic Environment) of the National Planning Framework (March 2012) in that it does not constitute high quality design and does not conserve or enhance the historic environment and the conservation area. The proposal would therefore be contrary to Policy EN1 of the Core Strategy (Adopted July 2010) as it would not reinforce local distinctiveness and sense of place nor would it contribute to the conservation, enhancement or restoration of the character of the District.

