

Applicant	McCarthy & Stone Retirement Lifestyles L Ross House, Binley Business Park, Harry Weston Road, Coventry, CV3 2TR
Agent	Miss Lisa Mathewson, The Planning Bureau Ltd 2nd Floor, Hartington House, Hartington Road, Altringham, Cheshire, WA14 5LX
Proposal	Demolition of 49 St Catherines Road and 1A Dudley Road and construction of retirement accommodation for the elderly including provision of communal facilities, landscaping and car parking
Location	49, St. Catherines Road, Grantham, NG319DE
App Type	Major Full (Residential)
Parish(es)	Grantham

Members may recall that this application was before committee on 7th February 2012. The application was deferred for amendments which included a review of the design to reduce the bulk and size of the buildings and to reconsider the car parking and access arrangements and if possible to incorporate the existing building into the scheme.

The applicants have submitted an appeal against non-determination. Consequently the application will now be considered by the Planning Inspectorate and cannot now be determined by the local planning authority.

Therefore Members are being asked to consider how they would determine the application in its current format so that this can form the local planning authority's case when defending the appeal.

For members information the local highway authority specifically negotiated the vehicular access to be off Dudley Road. As the access point off Dudley Road is at the request of the local highway authority, and they have not objected to the scheme in its current format, it is reasonable to assume that they would not support the access being revised or a refusal of planning permission on highway grounds. This has been confirmed by the comments below obtained since the deferral of the planning application on 7 February:

"Car ownership and thus parking is low in the form of sheltered housing proposed for this site and the provision in this case is moderately in excess of what would normally be required.

The site can be considered to be a town centre location, and it is not considered that the proposed development would have an adverse impact on highway capacity given the likely trip rates for the development.

Indeed, with the location of the resource, it is anticipated that residents will be encouraged to walk to the nearby shops and facilities.

St Catherine's Road is a classified road and a main artery in the highway network for both vehicles, and pedestrians of all ages.

Parking restrictions exist along St Catherine's in the locale of the application site.

With the width of the road being approximately 7 metres and free of parking, vehicle speeds can generally be expected to be greater than normally encountered on Dudley Road, particularly for vehicles travelling east to west down the 'hill' i.e. on the site side of the road.

Vehicle numbers using the classified road will also be greater, and the stopping, waiting and turning manoeuvres along this road will have a consequent greater impact on the free-flow and convenience of road users along its length.

It should be borne in mind that the former Police Station site has an existing access served off St Catherine's Road and, whilst the site is currently unoccupied, it is likely that this (albeit improved) will be used in any future occupation.

The local highway authority has previously supported use of the 'Police Station' access in consideration of a previous planning application and it is almost directly opposite the existing access to this site, and will further contribute to confusion of movement should the application site be accessed off St Catherine's Road particularly as we would have a confluence of junctions and accesses (application site, Police Station junction with St Catherine's and the St Catherine's/Dudley Road junction).

The traffic figures that accompanied the application suggest that something in the order of 77 vehicle movements could be expected from a facility of the size of this proposal *over twelve hours*.

This site, it must be reiterated, is more closely allied to the town centre than the comparison site and thereby movements are likely to be less and further, it is noted that the higher percentages of vehicular movements will be outside peak hours and less of a potential conflict with school start and finish times. This is to be expected with this type of proposal.

With the projected spread of the likely vehicular movements, it can be assumed that St Catherine's Road will be free-er flowing and speeds will consequently be greater, with the consequent greater risk to safety for users of the highway.

For the above reasons it is considered that an access to the facility off St Catherine's Road will not be supported by the local highway authority".

For members information the previous report is reproduced in full below.

REPORT

Application Category

This application is categorised as a major planning application.

Reasons for Referral to Committee

The planning application is a major application and may be likely to cause wider concern.

The Proposal

The proposal relates to the demolition of the existing buildings 49, St Catherine's Road and 1A Dudley Road to facilitate the construction of 44 bed retirement apartments for the elderly.

The building would be roughly T shaped. Vehicular access would be off Dudley Road, although there would be pedestrian access of St Catherine's Road. The building would have a mix of two to four storeys taking into account the levels difference on the site.

The materials to be used would be a mix of facing brickwork and timber cladding and a mix of reclaimed slate from the existing property and new natural slate.

The proposed development would result in the removal of a number of trees from within the main body of the site to facilitate the new construction.

The application site and surroundings

The application site is located adjacent to the town centre of Grantham and is currently occupied by no. 49, St Catherine's House and no. 1A Dudley Road. St Catherine's House is a former children's home and is currently vacant. No.1A Dudley Road is a modern bungalow.

The site is bounded by mature trees on both frontages. There is a tree preservation order on the site.

Immediately to the south of the application site is a church hall. To the north of the application site is the former police station. Stonebridge House. This is listed building.

The site is surrounded by residential properties of varying types and styles, but predominantly a mix of terraced and semi-detached properties along Dudley Road.

Relevant Site History

The site has been the subject of number of planning applications in the past for alterations and extensions. As the property was a maintained by the County Council they were the local planning authority.

It is considered that these various planning applications are not material to the determination of this planning application.

Policy Considerations

National Policy

PPS1: Delivering Sustainable Development
PPS3: Housing
PPS4: Planning for Sustainable Economic Growth
PPS5: Planning for the Historic Environment
PPG13: Transport
PPS25: Planning and Flood Risk

Regional Planning Policy – East Midlands Regional Plan

Policy 1: Regional Core Objectives
Policy 2: Promoting Better Design

On 27 May 2010 the Secretary of State for Communities and Local Government wrote to Council leaders, highlighting the Coalition Government's commitment to rapidly abolish Regional Strategies and return decision making powers on housing and planning to local councils.

On 6 July 2010 the revocation of regional strategies was announced with immediate effect in November 2010. This decision was successfully challenged in the High Court by Cala Homes which resulted in the revocation of the 6 July being quashed. As such, Regional Strategies still form part of the development plan.

Nevertheless, the intention to abolish Regional Strategies announced on 27 May 2010 still remains and is further demonstrated in the Localism Bill promoted by the Government. The Secretary of State has stated that he considers that the intention to abolish Regional Strategies should continue to be a material consideration to which decision makers must have regard when making planning decisions. However, the Secretary of State's statements on this have been legally challenged on the basis that the intention to abolish cannot and should not be a material planning consideration. This challenge was dismissed by the High Court.

On appeal, the Court confirmed that there may be circumstances in which the intention to abolish the RSS could be material to a development control decision.

Localism Act 2011

This Act gives power to the SoS to abolish/revoke in full or part the regional strategies. However, to date this route has not been taken by the SoS.

Core Strategy Policy

EN1: Protection and Enhancement of the Environment

This policy sets out a number of criteria by which all new developments are to be assessed.

EN4: Sustainable Construction and Design

SP1 – Spatial Strategy - The majority of all new development should be focused upon Grantham to support and strengthen its role as a Sub-Regional Centre. New development proposals shall be considered on appropriate sustainable and deliverable brownfield sites and appropriate Greenfield sites (including urban extension sufficient to ensure the achievement of growth targets).

Grantham Area Action Plan – Preferred Approach Development Plan Document – Consultation March 2011

Representations Received

Local Highway Authority:

Initial Comments

The direct vehicular access off St Catherine's Road would seem to have limited benefit to the operation of the site as a whole. It is requested that the applicant retain the proposed access for pedestrians and cyclists only. This will avoid potential confrontation between cars and other users of the highway in this location. The visitor parking could be accommodated elsewhere within the site, possibly adjacent to the residents parking.

The proposal will lead to increased local use by elderly or infirm residents in the local of the site and in order to improve accessibility a contribution of £3000 is required under the terms of a Section 106 legal agreement. Such improvements will include dropped kerb crossing points with tactile paving at junctions.

An amended plan has been received and further comments from the local authority have been sought. These comments will be reported in the late items paper or verbally at committee.

Final Comments

Requests that any permission given by the local planning authority shall include the conditions below:

Within 7 days of the new access being brought into use the existing access onto St Catherine's Road shall be permanently closed off.

The arrangements for parking turning and manoeuvring and unloading of vehicle shall be available at all times the premises are in use.

Development shall not be commenced until a travel plan has been submitted to and approved in writing by the local planning authority.

Further comments have been requested from the local planning authority in relation to the justification for the access being located off Dudley Road. Their response is as follows:

The proposed plans as far as I am aware have always shown Dudley Road to be the main access for vehicular traffic. The more recently requested amendment is for the removal of access for the limited vehicular parking provision for two vehicles via a St Catherines Road entrance.

There are two existing accesses off St Catherines Road. One is to be closed (and ensure conditioning appropriately - not forgetting the requested S106 sum), the other to remain as access for pedestrians and cyclists only.

This removes potential delays and disruption to vehicular traffic due to stopping waiting and turning manoeuvres on the busy 'classified' St Catherines Road and in close proximity to both the St Catherine's/Dudley Road junction and the existing access on the north side of St Catherines Road that formerly served the Police Station - and to which an application for conversion to housing and using the existing access has previously been minded to be approved by the local planning authority.

It further removes the potential for vehicles in excess of the number catered for in the parking arrangement accessing the site at the St Catherines entrance with the likelihood of reversing manoeuvres into St Catherines Road then being necessary.

It should be noted that the number of vehicular movements associated with the type of development proposed will be low with most associated movements likely to be in the evenings and in the weekends.

On balance, and following consultation with the Area Highways Manager it is deemed that the amended proposals will be safer and more convenient for all users of the highway.

Anglian Water:

Initial Comments

The sewerage system has available capacity for these flows.

The surface water strategy submitted with the planning application is unacceptable.

Additional details have been requested to address the concerns in relation to surface water disposal.

Final Comments

On the understanding that the surface water drainage strategy is to pump at a rate of no more than 5 litres per second to the public surface water sewer in St Catherine's Road, Anglian Water would have no objections.

Condition – No dwelling/premises shall be occupied until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the local planning authority.

Environment Agency:

As the site is in flood zone 1 and is less than a hectare in area the Environment Agency does not wish to make any comments on the application.

Open Space Officer:

Given the nature of this development for retirement accommodation, I don't think any contributions for play equipment can be justified.

Lincolnshire Community Health Services:

I would be grateful if planning officers consider our request for a contribution of £39,776 based on £904 per dwelling.

Historic Environment Officer (Archaeology):

I am able to recommend that if planning permission was granted it should be the subject of a watching brief H102 Condition. The council should also seek to obtain a robust heritage statement detailing or justifying why it is proposed to demolish no. 49, St Catherine's Road. The council should also take into account local planning policy documents including the recent townscape assessment and its recommendations as well as the content and guidance outlined by national guidance PPS5.

If the council grant permission for demolition then appropriate measures should be taken to conserve the property by record by attaching a suitably worded condition.

Crime Prevention Officer:

Comments: Thank you for the opportunity to comment on the proposed scheme. I base my observations on your supplied plans and would like to raise the following points in respect of the security.

Public Access

It is recommended that there should be no unnecessary paths, which could be used to gain unobtrusive access or escape. Good signage should be provided to deter unauthorised access and to assist emergency services, trade persons etc.

Natural Surveillance

Optimum natural surveillance should be incorporated, whereby residents can see and be seen whilst approaching and leaving the accommodation.

It is important to eliminate all blind corners and recesses at the entrance points.

Formal Surveillance

It is recommended that a CCTV scheme be installed covering the development area, with particular focus on key access points. Consideration may be given to providing residents with visual access control. A comprehensive scheme would deter the potential criminal and reduce the possible fear of crime for the residents. Further consideration has to be given though to the necessary legislation with the Data Protection Act and Human Rights Act.

Perimeter

The perimeter fencing detail for the development if not shown should a robust fence, wall or railings to a minimum height of 1800 mm without footholds. The rails of any timber fence should face the properties. There will be a requirement to restrict access from Newport through the garden area and into the first parking area adjacent to the north elevation.

Lighting

A comprehensive lighting scheme has to be designed to deter intruders and reduce the fear of crime. All footpaths and access doors etc need to be illuminated.

The lighting scheme for the car park area should be design to cover all vulnerable areas without creating shadows. Well-specified and sited lighting will deter and reveal potential intruders.

Guidance for suitable lighting schemes may be obtained from BS 5489 Part 9 1996 and is sub titled Lighting for Urban Centres and Public Amenities.

All lighting must be automatically controlled by photoelectric sensor or time switch.

Fittings and wiring should be vandal resistant and located to minimise vulnerability to vandalism.

Physical Security

External doors

The secured by design requirement for all ground floor external doors and all individual ground floor flat entrance doors is PAS 24.1 (doors of an enhanced Security).

The entrances to a block should form a second line of defence. Often they form the physical barrier to access for outsiders. The minimum number of entrances compatible with resident's convenience and fire safety should be provided, and unnecessary entrances eliminated.

Main entrances should be fitted with an access control system. This may be PAC entry system, a door entry phone system and electrical lock release or a combination of these. Entrance and exit doors and frames to blocks should be of robust, vandal-resistant material, as specified later. Vandal resistant viewing panels should be fitted. Entrances should be well lit, both internally and externally.

Windows

Ground floor windows and those easily accessible above ground floor, should be successfully tested to BS 7950:1997 'Specification for enhanced security performance of casement and tilt/ turn windows for domestic applications', at an appropriately accredited UKAS test house, or if otherwise tested must be independently authenticated, in writing, by a test house suitably approved by UKAS. Windows installed within SBD developments must also meet the following performance standards:

- i. BS 4873 (Aluminium)
- ii. BS 7412 (PVC-U)
- iii. BS 644 (Timber) or the BWF Timber Window Accreditation Scheme (TWAS).
- iv. BS 6510 (Steel)

Glazing

Ground floor windows and those that are easily accessible to entry must have key operated locks. Where necessary, opening restrictors or similar built-in mechanisms will be required. Where windows are required under the Building Regulations to act as a fire escape route (inner room situation), the opening window must not have key operated locks.

These escape windows must not be obstructed in any way to prevent emergency exit from building. In these circumstances any glazing must be laminated to 6.4mm minimum.

Landscaping

Landscaping is an important feature of this initiative. Landscaping should not impede natural surveillance and must not create potential hiding places for intruders, especially adjacent to footpaths or close to buildings where it may obscure doors and windows.

Frontages should be in open view. Ornamental walls and hedges should not exceed one metre in height. Grass or low ground cover planting only should be used within 2 metres either side of a footpath. The location and species of trees should not allow them to obscure lighting or CCTV, or become climbing aids. The specification should take account of maintenance needs to ensure continued compliance as plants grow. The correct use of certain species of plants can help prevent graffiti and loitering, and in addition to fencing may be used to define/reinforce boundaries. Defensive planting i.e. Berberis or similar may be utilised to achieve this purpose.

Environmental Protection:

I would ask for a condition to be put on any permission given to limit the hours of construction and demolition to:

Mon to Fri 07.30 – 18:00
Saturdays 08:00 – 13:00

No working on Sundays and Bank Holidays.

I notice that there is no mention in the documentation of external lighting. I presume that there will be external lighting and I should like to see a full lighting plan including the indication of any lighting overspill onto neighbouring properties.

Tree Officer:

Initial Comments

Protected trees are positioned inside the site boundaries that provide a screen between the existing building & the adjacent roads. The tree survey accompanying the application briefly appraises these trees in accordance with guidelines in BS5837 (2005). It does not provide any significant detail on the trees condition or management recommendations. This survey appears to be intended by the arboriculturist to “provide sufficient information to enable decisions to be made on planning aspects of the site & potential development”. I generally concur with the retention categories.

The trees at the site are important in terms of visual amenity & where possible & practical their retention is very desirable.

The plans supplied with the application do not appear to show the new or existing buildings in relation to the existing trees. No information appears to be available relating to the protection/retention of the existing trees or the implication of the new development on those trees.

Further information as follows is therefore required for me to consider this application further:

- * Accurate plans showing the proposed & existing buildings, hard surfaces etc in relation to the existing trees.
- * An Arboricultural Implication Assessment detailing the relationship between the existing trees & the new development & how they are likely to co-exist now & in the long term.
- * A Method Statement & Tree Protection Plan showing which trees are to be retained & how they are to be protected during development, what tree works are to be carried out & to what standards & how the installation of new hard surfaces (if any) is to be undertaken. Information should also be provided relating to site access, site storage etc.

Additional Comments

I generally concur with the retention classifications given in the accompanying tree survey and most of the recommended works; the majority of which appear to have been made on the grounds of good arboricultural management and to facilitate development.

I am however opposed to the re-pollarding works recommended for trees 1 to 4 and trees 10 to 17. It is true to say that they have been historically managed by pollarding or heavy pruning, but they have established vigorous new shoot growth which is typical of the species. Trees 1 to 4 and trees 10 to 17 are a valuable screen between the site and the neighbouring properties and are an important public visual amenity. It is my recommendation therefore that they should be retained in their current condition. I would not object to some selective crown raising over the adjacent highway to provide a safe clearance for pedestrians etc. Further details of additional pruning works should be supplied to the local planning authority in writing and approved in writing.

I believe that the trees are already subject to a TPO. If they are not then I believe that a TPO should be served on the trees prior to any planning consent being approved. The trees are very prominent in the landscape and have significant merit as a visual amenity.

The site is tight and space is at a premium in some areas. Nonetheless, I am happy that the proposed development can go ahead in arboricultural terms subject to a condition requiring the protection of the retained trees as described on the method statement on the accompanying plan. Further detail should also be required by condition in the form of a detailed site specific method statement describing how new no-dig permeable hard surfaces will be installed and how scaffolding will be safely erected inside the root protection areas of retained trees.

The protective fencing should be approved by the councils arboriculturist before construction works start, which should be required by a condition.

A condition requiring the retention of a qualified arboricultural supervisor for the site is in my view necessary.

It appears from the site layout plan that the new structure/s are proposed outside the root protection areas of the retained trees. Therefore in arboricultural terms no special foundations will be required.

The details submitted in fulfillment of the conditions should be provided and approved by the local planning authority in writing.

(The applicant has agreed to the recommendations of the tree officer in relation to the works to trees 1-4 and 10-17. It is considered this matter can be addressed with an appropriately worded condition).

Affordable Housing Officer:

- All developments comprising 5 or more dwellings should make appropriate provision for affordable housing within the development. On small sites of between 5-14 housing units provision may be made on site; off site or as a commuted sum in lieu of provision, depending on the viability of the individual site.
- Where affordable housing is to be provided on site, a target of up to 35% of the total capacity of a scheme should be affordable. The affordable element will be expected to include a mix of social rented and intermediate (shared ownership) housing appropriate to the current evidence of local need.
- All units should be of an appropriate size and type to meet the need identified by the current evidence of housing need
- Consideration may be given to off site provision or as a commuted sum in lieu of provision of the affordable homes on site if it is not viable or suitable to provide the affordable units on site. Evidence will be required and agreed that on site provision is not viable.

With regards to this application the requirement is as follows:-

- Preference for the Council is that due to the specialized nature of the proposed development, that an off-site commuted sum for affordable housing be agreed to enable the Council to provide affordable housing. A viability assessment will be required in order that the affordable housing contribution can be agreed.
- The affordable housing contribution to be paid in full prior to the occupation of the first dwelling on site.

Planning Policy:

The site in question is a preferred and allocated site for housing development in the Grantham Area Action Plan: Preferred Approach DPD. Generally, the proposed use is acceptable in planning policy terms. However, the following policy area needs noting:

Planning Policy Statement 3 section 15/16 require local Planning Authorities to encourage applicants to bring forward sustainable and environmentally friendly new housing developments, in doing so should reflect on Climate Change Policies and Code for Sustainable Homes.

In assessing design quality on proposed development the following are recommended:

Easy accessibility and well-connected to public transport and community facilities and services

Good access to, community and green and open amenity and recreational space

Well integrated with, and complements, the neighbouring buildings and the local area in terms of scale, density, layout and access

Creates, or enhances, a distinctive character that relates well to the surrounding and supports a sense of local pride and civic identity

Provides for the retention or re-establishment of the biodiversity within residential environment

A design-led approach to the provision of car-parking space, that is well-integrated with a high quality public realm, and streets that are pedestrian, cycle and vehicle friendly.

English Heritage:

It is not necessary to notify English Heritage of this application as it does not fall within one of the statutory categories.

They confirmed on 20th January that the building does not meet the criteria for designation in a national context.

Acting Principal Conservation Officer:

Initial Comments

The site comprises a late C19 house with modern extensions set in its own grounds at the corner of St Catherine's Road and Dudley Road and a modern bungalow erected in the 1980's.

The house retains a substantial part of its original garden area apart from at the southern end where a detached bungalow has been built.

The application site does not lie within a Conservation Area nor are the existing buildings on the site listed for their architectural or historic interest. However, the C19 house has been identified in the recently completed Townscape Character Assessment for Grantham as a building that makes a positive contribution to the character of the area and therefore worthy of inclusion on a Local List when we begin to compile one. The buildings identified in the TCA will be the starting point for a Local List for Grantham.

The proposal involves the demolition of the existing buildings and their replacement with a 2, 3 and 4 storey development of retirement flats.

The analysis of the building in the submitted heritage Statement focuses solely on its architectural qualities with no comment on its potential historic interest. There is no evidence that the Historic Environment Record has been consulted, as required by Policy HE6 of PPS5 so the potential historic significance of this undesignated heritage asset has not been fully assessed.

It may be that the original house was built for a local industrialist, as many of these types of properties in this part of the town were. Its historic interest has not been investigated by the applicants, so the statement as it currently stands is not Policy HE6 compliant.

English Heritage's accompanying Practice Guide to PPS5 explains that non-designated assets can make an important, positive contribution to the environment and the desirability of conserving them and the contribution their setting may make to their significance is a material consideration. Furthermore, the requirements under Policy HE12 of PPS5, to understand and record any assets which may be lost, applies equally to non-designated assets.

It may be that the benefits to the community of the proposed development are considered to outweigh the loss of the undesignated heritage asset. If this is the case, I would request that in accordance with Policy HE12 of PPS5, that a condition be imposed on any planning permission requiring that, prior to the commencement of development on site, the asset be recorded by a full measured survey and photographic record and that copies be deposited with the Local Planning Authority and the Lincolnshire Historic Environment. Any surviving garden features should also be recorded.

Furthermore, no works should commence on site until the Local Planning Authority have given written confirmation of the adequacy of the recording.

One final point, there is an attractive metal gate and posts, probably original, at an existing access onto St. Catherine's Road. It would be nice if these could be retained, if not in their existing position, re-used somewhere within the site.

Final Comments

I refer to your memorandum dated 31st October 2011 inviting further comment on the application for the above.

The site comprises a late C19 house with modern extensions set in its own grounds at the corner of St. Catherine's Road and Dudley Road and a modern bungalow erected in the 1980's.

The house retains a substantial part of its original garden area apart from at the southern end where the detached bungalow has been built.

The application site does not lie within a Conservation Area nor is the existing building on the site listed for its architectural or historic interest. However, St. Catherine's house has been identified in the recently completed Townscape Character Assessment for Grantham (TCA) as a building that makes a positive contribution to the character of the area.

The Positive Contributing Buildings identified in the TCA will be used as the starting point when the Authority compile a Local List for Grantham.

The proposal involves the demolition of the existing building and its replacement with a 2, 3 and 4 storey development of retirement flats.

The analysis of the building in the submitted Heritage Statement focuses solely on its architectural qualities with no comment on its historic interest. There is no evidence

that the Historic Environment Record has been consulted, as required by Policy HE6 of PPS5 so the potential historic significance of this undesignated heritage asset has not been fully assessed.

A detailed, handwritten specification of this building survives (dated 1874) and this together with research undertaken by a local resident have identified that the house was in all probability built for a John Martin, a local Ironmonger. From the early part of the twentieth century until the 1940's it was occupied by the Grinling family who, in association with the Lee family, were prominent in the local malting industry.

Who the architect was is not known but from the specification it is clear that the materials used were of the highest quality available at the time. The white bricks were made in Bedfordshire and the external woodwork was St. Petersburg red deal. Despite various alterations and unsympathetic extension, the building essentially retains its original floor plan.

English Heritage's accompanying Practice Guide to PPS5 explains that non-designated assets can make an important, positive contribution to the environment and the desirability of conserving them and the contribution their setting may make to their significance is a material consideration. Furthermore, the requirements under Policy HE12 of PPS5, to understand and record any assets which may be lost, applies equally to non-designated assets.

As with the recent application for redevelopment of the nearby Shirley Croft site, the issue has been raised as to whether the building is eligible for inclusion on the Statutory List of Buildings of Special Architectural or Historic Interest.

To be included on the Statutory List buildings such as St Catherine's House must meet the following criteria:

- Architectural Interest. To be of special architectural interest a building must be of importance in its architectural design, decoration or craftsmanship; special interest may also apply to nationally important examples of particular building types and techniques (e.g. buildings displaying technological innovation or virtuosity) and significant plan forms;
- Historic Interest. To be of special historic interest a building must illustrate important aspects of the nation's social, economic, cultural, or military history and/or have close historical associations with nationally important people. There should normally be some quality of interest in the physical fabric of the building itself to justify the statutory protection afforded by listing.

The general principles of listing are based on the following considerations:

Age and rarity. The older a building is, and the fewer the surviving examples of its kind, the more likely it is to have special interest. The following chronology is meant as a guide to assessment; the dates are indications of likely periods of interest and are not absolute. The relevance of age and rarity will vary according to the particular type of building because for some types, dates other than those outlined below are of significance. However, the general principles used are that:

- before 1700, all buildings that contain a significant proportion of their original fabric are listed;
- from 1700 to 1840, most buildings are listed;
- after 1840, because of the greatly increased number of buildings erected and the much larger numbers that have survived, progressively greater selection is necessary;
- particularly careful selection is required for buildings from the period after 1945;
- buildings of less than 30 years old are normally listed only if they are of outstanding quality and under threat.

Aesthetic merits. The appearance of a building – both its intrinsic architectural merit and any group value – is a key consideration in judging listing proposals, but the special interest of a building will not always be reflected in obvious external visual quality. Buildings that are important for reasons of technological innovation, or as illustrating particular aspects of social or economic history, may have little external visual quality.

Selectivity. Where a building qualifies for listing primarily on the strength of its special architectural interest, the fact that there are other buildings of similar quality elsewhere is not likely to be a major consideration. However, a building may be listed primarily because it represents a particular historical type in order to ensure that examples of such a type are preserved. Listing in these circumstances is largely a comparative exercise and needs to be selective where a substantial number of buildings of a similar type and quality survive. In such cases, the Secretary of State's policy is to list only the most representative or most significant examples of the type.

National interest. The emphasis in these criteria is to establish consistency of selection to ensure that not only are all buildings of strong intrinsic architectural interest included on the list, but also the most significant or distinctive regional buildings that together make a major contribution to the national historic stock. For instance, the best examples of local vernacular buildings will normally be listed because together they illustrate the importance of distinctive local and regional traditions. Similarly, for example, some buildings will be listed because they represent a nationally important but localised industry, such as shoemaking in Northamptonshire or cotton production in Lancashire.

State of repair. The state of repair of a building is not a relevant consideration when deciding whether a building meets the test of special interest. The Secretary of State will list a building which has been assessed as meeting the statutory criteria irrespective of its state of repair.

It is questionable as to whether St. Catherine's House is of sufficient architectural or historic interest for a building of its period to warrant inclusion on the statutory list. Even though its historical associations are known and are of local significance, they are not of national significance. The building is, therefore, undoubtedly of Local Interest and worthy of consideration for inclusion on any Local List that may be compiled. However, inclusion on a Local List would not afford it statutory protection from demolition.

The proposed development would be of two, three and four storeys and will have a much greater impact on the character and appearance of the area than the existing building that is obviously of a much lesser scale and largely concealed from surrounding views by the dense foliage on the site perimeter.

There will be an impact on the setting of the grade II listed Stonebridge House (former Police Station) on the northern side of St. Catherine's Road, although this will be ameliorated to some extent by the mature trees that are covered by a Preservation Order and are to be retained. Four storey development was recently approved on Welham Street, overlooking Stonebridge Close and this, arguably, impacts to a greater or equal degree on the setting of Stonebridge House.

It is disappointing that the developers could not have devised a scheme that retained and utilised the existing building and thus preserved it as an undesignated heritage asset.

It may be that Members decide that the benefits to the community of the proposed development are considered to outweigh the loss of this undesignated heritage asset. If this is the case, I would request that in accordance with Policy HE12 of PPS5, that a condition be imposed on any planning permission requiring that, prior to the commencement of development on site, the asset be recorded by a full measured survey and photographic record and that copies be deposited with the Local Planning Authority and the Lincolnshire Historic Environment. Any surviving garden features should also be recorded.

Furthermore, no works should commence on site until the Local Planning Authority have given written confirmation of the adequacy of the recording.

I note that there is an intention to re-use some of the materials from the existing house in the new development, in particular the roof slates and decorative ironwork to the ridge. I would suggest that consideration be given to reusing more of the materials, including the Gault clay bricks and retaining and restoring the two attractive metal gates and posts and length of railing, all seemingly original, on the St. Catherine's Road frontage, ideally in their existing position, or otherwise appropriately elsewhere on the site.

Lincolnshire Wildlife Trust

Thank you for consulting the Lincolnshire Wildlife Trust on the above application.

We have read the ecological information submitted and we would request further information in relation to the bat survey report. It does not appear that the second building on site, the bungalow, was surveyed for its bat roost potential. We would recommend that this building, along with any others on site, such as garages, are assessed. If the buildings have been surveyed and have been assessed as having no bat roost potential, this should be explicitly stated in the report.

We would query whether 3 surveyors and the use of an anabat was able to give full coverage of the larger building during the dusk and dawn surveys. There appear to be a number of potential access points around the building and we would wish to

ensure that all of these were covered. Additionally, the information submitted does not make it clear whether an internal inspection of the building was carried out. We would have expected a description of the accessible parts of the building, along with photos where appropriate, and a note to say if any parts of the building were not accessible for some reason. In particular, if an internal inspection had been carried out we would have expected a description of the loft spaces and as there is also a cellar, we would also wish this to be checked for the presence of bats.

It does not appear that any of the trees on site have been assessed for their potential to support bats. Whilst the tree plan indicates that only seven trees will be removed, we would recommend that all of the trees on site are surveyed with respect to their bat roost potential. If additional tree works are proposed, it will be important to know which, if any, should be avoided or whether a licence from Natural England would be necessary to permit works.

We support the recommendations for enhancement of the site to include provision of bird and bat boxes within the development, use of native species of tree and shrub in the landscaping scheme and creation of wildflower areas. It does not appear that these recommendations have been taken into consideration in the production of the landscaping plan. We believe that additional effort could be made to include largely native species in the planting scheme as it currently contains a large percentage of non-native species. Appropriate native wildflower seed mixes could be used in some areas in place of amenity turf. Wildflower meadows provide nectar for a range of invertebrates, would be attractive for residents to look at and have lower maintenance requirements than amenity grassland. We would strongly support the provision of features for roosting bats and nesting birds within the development. Bat roost units could be included within the fabric of the building or bat boxes could be fitted externally to the building or on mature trees. We would recommend that bird nesting units are provided to support declining urban birds such as swifts, swallows and house sparrows.

Representations received as a result of publicity

For clarity the description of the development has been amended to include the demolition of 49 St Catherine's Road and 1A Dudley Road as demolition is now a form of development.

The application has been advertised in accordance with the statement of community involvement. 13 letters of objection have been received. A summary of the concerns are listed below:

1. The development should adhere to building lines. The four storey element would be considerably further forward than other properties on Dudley Road.
2. Parking problems on Dudley Road.
3. 44 new units will only add to this problem.
4. Development is not in keeping with the surrounding area.
5. Disappointed that another handsome building is to be replaced by a building with little architectural value that will overwhelm the site.
6. Extra traffic.

7. Removing any of the trees and the underbush will directly impact on privacy.
8. Bedroom overlooked by many apartments.
9. We feel the main driveway should remain on St Catherines Road where visibility is better.
10. Sad that Grantham would lose yet another historic building.
11. It would be nice to see the façade retained and incorporated in the design.
12. The loss of Shirley Croft cannot be reversed we do not want the same to happen here.
13. Loss of a well built, attractive old property which reflects the aesthetics of the local area.
14. Currently it is a beautiful plot which provides a leafy, spacious aspect which adds value to the environment. It is sad to think this will be lost in order to cram in an intensity of housing with all its associated parking requirements.
15. The existing building is part of Grantham's heritage.
16. The proposed entrance in close proximity to the Seventh-Adventist Church/primary school will pose potential danger to both children and adults arriving and leaving our premises.
17. Moving all the car parking to Dudley Road side of the development will be more detrimental to the residents of Dudley Road.
18. Far too many parked vehicles on this road already. There is no parked traffic on St Catherine's Road.
19. The proposal whilst sympathetic to the church on Dudley Road and the neighbour on St Catherine's Road but not my property opposite the fourth storey elevation of the proposal. The height of the building being approximately 15 metres compared to the height of my property being 9 metres.
20. The trees shown on the plans are approximately 15 metres. However, in reality they are only 6 metres tall with a gap and will not screen very much of the 15 metres.
21. I am already overlooked by the Stonemasons Court flats and by building this property so tall I will have no privacy in my garden at all.
22. A more sympathetic development that is more tolerable to the existing residents would be:
Keep in line with the properties on that side of Dudley Road, keep in line with the heights of the neighbouring properties – reduce the height of the fourth floor down to 3 floors;
Plant further trees along the corner of St Catherine's Road and Dudley Road taking the tree line up to 13 metres along the whole of Dudley Road and therefore minimising the impact upon my family's privacy and enjoyment within our own garden.
23. Concern regarding loss of existing landscaping/screening.
24. Whilst the St Catherine's Road property line is maintained they have disregarded the building line on Dudley Road. No other residents would be allowed to that. They have followed the building line from the opposite side of the street.
25. The scale of the trees is not correct on the submitted information. The yew trees and evergreens along Dudley Road are less than 6 metres high (according to their own tree survey). The trees will not adequately screen the proposal as per the submitted drawings.

26. To protect the street scene the height of the building should be reduced at the prominent corner, not an incremental increase in height to the corner.
27. The shadow surveys do not show days in the later part of the year when the sun is lower.
28. PPS5 assessment is negative. It describes the house as 'modest' and similar to countless other surviving domestic Victorian buildings across England. In terms of our community and Grantham, St Catherine's House is a very limited group of villas (Stonebridge House, Beaconsfield, Riverside, Elsham, St Vincents and Norman Lees). We have lost Dudley House and now Shirley Croft.
29. The house demonstrates a build quality and design that is far better than most houses in the area.
30. Aesthetically the house is extremely handsome from the outside. Which was historically set in extensive gardens containing flower beds and fruit trees.
31. The history of the building is extensive. We know who had the house built and what their family did in Grantham, we know a significant family who lived there for over 40 years and ran a very successful malting business for 75 years. Their company's malthouse on Bridge Street is listed. They had malthouses on Welham Street, Commercial Road, Brewery Hill, Springfield Road, Gonerby and Bridge Street.
32. We should strive to retain this building. Please do all you can to support us. We are part of your community. It will look bad if we lose this building.
33. The hedgerow around the site should be retained.
34. There is very little in Grantham above 3 storey. Yet this is four storey on a slope making it even more taller.
35. Concern regarding the accuracy of the protective species survey undertaken by the applicant.

In addition to the individual letters, a petition containing 35 names has been received objecting to the proposal. The main issues raised are:

1. Impact on street scene.
2. Undergrowth is extensive and deep and to be replaced with small new plants. They should retain and reinvigorate the existing hedging.
3. The building would be four floors in a prominent location especially with the reduced greenery.
4. In winter the building would be totally exposed and the street scene completely destroyed.
5. The neighbour across the street will be severely overlooked.
6. Alter the feel of the area significantly, particularly at the entrance to one of Grantham's most attractive Victorian streets.
7. Ecological impact – impact on protected species.
8. Disturbance to existing flora and fauna.
9. The report misrepresents St Catherine's home. It predates most remaining houses in the area.
10. Fine detailing/materials and well constructed. It is constructed of a quality far improved when compared to other areas and the town in general.

11. Maintain property frontage line. The frontage line along Dudley Road has not been followed. The front corner of the new building is much closer to the road than houses on that side of Dudley Road. The development should adhere to this.
12. Traffic and parking – 43% parking for the units is adequate based on their experience. The impact based on combining a nursery (which has not been used for years) with a single family residence. The comparison is not correct as for the last decade it has been used as young adult housing, not a nursery. This previous use would generate far less impact as there would be no picking up dropping off.
13. It is not considered that elderly car ownership comparisons with Torquay, Reading and Portsmouth are appropriate as they are far more densely populated and have less car ownership than South Kesteven.
14. Conflict with the traffic to the adjacent school, and Dudley Road is already congested.
15. It is their normal policy to charge for parking on the property. We know from experience that people will go to great lengths to avoid paying. This will result in increased on street parking.
16. Oversupply of category II properties. There is already a semi empty retirement home (Witham Place) just the other side of the river.
17. There is also another new development on the corner of Beacon Road/New Beacon Lane.
18. The proposed property will overwhelm the area with 44 new residents.
19. The proposal is too imposing and out of proportion with existing developments.
20. The 4 storey levels at the corner of the site will dwarf the 2 storey neighbours on the corner of Dudley Road and overlook into their gardens (which already suffer at the rear). It will replace a green corner with a huge complex peering through trees with no mature shrubs remaining low. It will be much closer to the road, within 10 metres of the pavement. This will be even more evident once they lose their greenery in the winter.
21. The front corner of the building (the tallest and most imposing part) oversteps the front line of the buildings along Dudley Road. The church and the bungalow 1A maintains the line. The amount of setback decreases as you further down Dudley Road. But at this point the church is 18 metres back while these plans are only 10 metres.

An e-mail has been received from Councillor Morgan requesting the determination of the planning application be held in abeyance for the following reason:

I am writing to request that you consider holding in abeyance a decision regarding St Catherine's House, St Catherine's Road, Grantham for the following reasons:-

1. The building will fall within the boundary of a new Conservation Area
2. Listed Building Application has been submitted to English Heritage

I am a founder member of a new Conservation Group in Grantham, as well as a Ward Councillor and member of the Development Control Committee, and we are working with Ian Wright to identify:-

- a. new Conservation Areas in Grantham

- b. new listed buildings
- c. trees which are currently unprotected by TPOs

Once established a key role of the organisation, with the support of other local conservation groups will be to monitor the areas identified and notify SKDC of any compliance issues following the model in Stamford.

We set up our organisation after the demise of Shirley Croft Hotel identified an issue with regard to the lack of protection in Grantham of our Victorian architecture which is out of parity with other SKDC Market Towns including Stamford which has Victorian architecture largely protected in Conservation Areas.

We are using the excellent work done on SKDC Townscape Assessment Document for key reference material. This includes St Catherine's House.

Two letters of support have been received. A summary of the comments are listed below:

- a) the building would bring a bit of class to Grantham;
- b) the premises have been an eyesore for over 3 years;
- c) the proposed building to accommodate old people seems ideal;
- d) local facilities would be in close proximity;
- e) close to town centre.

For members information we have received confirmation from English Heritage that they have rejected the request for the St Catherine's House to be listed. Their assessment is taken in full below:

Recommendation: Reject

Assessment

Context

English Heritage have received an application to list St Catherine's House, Grantham. A planning application involving the demolition of the building is due to be decided shortly. The applicant is concerned that plans to demolish the building will further contribute to the general encroachment into the historic core of Grantham's first Victorian suburb.

The area is not designated as a Conservation Area.

History and Details

St Catherine's Villa, now known as St Catherine's House was designed to the highest specifications in 1874, and was part of the initial suburban development of Grantham, responding to the town's industrial boom of the mid-late C19. The house is simple but handsome; symmetrical with bay windows and stone detailing and an ironwork crest to the roof.

A list of materials used in the construction of St Catherine's House includes specific references to the finest materials; high quality sanitary wares; marble

fireplaces which were installed in four bedrooms and three reception rooms; deep decorative plaster cornices; encaustic tiles to the entrance way and hall, and a fine hardwood staircase. Possibly commissioned by local ironmonger John Martin, St Catherine's House was a typical reflection of Victorian commercial success and the emergence of the new middle class.

The house remained in residential use until WWII when it was converted to a temporary primary school, following which it became a children's nursery. At this time the stable was converted into a toilet block and linked to the main building via a single storey hallway/corridor. In 1994 the building became a children's home; a two-storey

extension was added to the rear, accommodating numerous bedrooms and a staircase. The extension obscured the stables which had been converted to accommodate extra bedrooms and further alterations were carried out to the upstairs bedrooms in the main house.

Assessment

The English Heritage Selection guide for Domestic Housing (October 2011) explains that due to the significant growth in the number of houses both built and surviving after

1840, greater selection is required when assessing for listing than for buildings of an earlier date. Nonetheless, housing of flair, innovation, character and intactness will warrant consideration. Internally the loss of major elements such as the staircase or the room plan of the principal floors, or the stripping out of internal features, will undermine the case for listing. Historic interest is also an important consideration; well-documented historic associations of national importance may strengthen the case for listing whether it be associated with a distinguished person or a securely documented event of national importance.

St Catherine's House, Grantham, is not recommended for designation for the following principal reasons:

- * Architectural interest: St Catherine's House, although a large and imposing building, is relatively plain and standard in its decorative detailing and lacks flair, innovation and character.
- * Intactness: progressive alterations to the building, particularly in the late C20, have heavily impacted on the original fabric and compromised its overall architectural integrity. The rear of the building has been extensively modified and damaged by fire, whilst other internal areas have been subdivided, altering the original plan. Internal features have also been compromised: fire doors have replaced originals; marble fireplaces have been removed and the original staircase replaced.

Conclusion

Based on the information provided it is clear St Catherine's House is of local interest but does not meet the criteria for designation in a national context.

Officer Evaluation

The main issues for consideration in relation to this application are highway safety, residential amenity, visual amenity and impact on heritage assets.

Highway Safety

There have been numerous discussions and negotiations during the life of the planning application. The scheme has been amended at a request of the local highway authority. This has resulted in the vehicular access to the site being off Dudley Road with pedestrian and cycle access of St Catherine's Road. This would remove any potential conflict with traffic on St Catherine's Road.

Local residents have concerns regarding the proposed access on Dudley Road, particularly in relation to the adjacent school/church access and conflict with the numerous parked vehicles on Dudley Road.

It is accepted that the proposed development would increase the vehicle movements accessing the site from Dudley Road. However, it is considered that it is preferable to serve the development off Dudley Road than St Catherine's Road.

As the access point off Dudley Road is at the request of the local highway authority, and they have not objected to the development, it is reasonable to assume that they would not support the access being revised or a refusal of planning permission for the development on highway grounds.

The comments of the local highway authority make it clear that it is desirable to have the access off Dudley Road.

For clarity the proposal relates to the formation of 32 1no. bed and 12 2no. bed apartments. Parking provision on site is 19 spaces. This equates to a level of provision of 43%. They would be split between 17 resident and 2 visitor spaces as stated in the submitted Design and Access Statement.

This level of provision is justified by the submitted Transport Statement. This level of provision is based on the assessment of the parking requirements of 3 similar Category II developments. Based on this data there is an average demand for resident parking of 0.22 spaces per bedroom. In this instance there are 56 beds (32 1no. bed and 12 2no. bed = 32+24=56). This equates to a need of 15 resident spaces and 5 visitor spaces.

The level of provision proposed is 17 resident and 2 visitor. It is the policy of McCarthy and Stone not to provide the peak demand for visitor parking to encourage non-car modes of travel.

Parking arrangements are 'policed' by the company selling permits for the number of spaces allocated as resident parking spaces. This approach has been taken at a number of the company's recent developments. The benefit of this approach is that

potential residents will know, in advance of purchasing an apartment, whether or not they will have a parking space.

The submitted Transport statement makes it clear that the scheme is not for a nursing home. The only 'full time' member of staff is the house manager. They would not normally have any medical qualifications but would summon qualified medical assistance if required.

It is appropriate in this instance to restrict the occupation of the building to the over 55's. A similar condition formed part of the planning permission for the retirement accommodation at The Croft, Bourne (Planning Ref: S09/1699).

Residential Amenity

Loss of Daylight/Sunlight, Overshadowing

The proposal would clearly result in significant built form on the site above and beyond that currently existing. As such care has to be taken to ensure that the development would not result in any significant impact on the residential amenity of neighbouring occupiers via overlooking loss of privacy or overshadowing/loss of daylight/sunlight.

The scheme has been designed around the level change within the site resulting in the four storey element constructed at the corner of Dudley Road/St Catherine's Road. The proposal reduces in size to the adjacent properties to ensure that there would not be any significant overshadowing. The submitted assessment of overshadowing/loss of daylight sunlight indicates that there would not be any detrimental impact on the surrounding properties. A further assessment for the winter period, when daylight and sunlight is at a premium has been requested. Subject to the applicants demonstrating that there would be no significant impact during the winter period it is considered that a refusal of planning permission could not be justified on this ground.

Overlooking/Loss of Privacy

There are a number of windows proposed, including Juliet and walk on balconies looking outward from the site along the St Catherine's Road and Dudley Road frontages and on the rear elevations looking inward and a sun terrace roughly centrally located.

Concern has been raised that the numerous windows/balconies coupled with the height of the proposal, particularly the four storey element adjacent to St Catherine's/Dudley Road junction. It is accepted that the proposal would result in built form closer to the existing properties along Dudley Road, and that the proposal would be higher than the existing properties. However, it is considered that there is sufficient separation distances between the proposal and the properties opposite on Dudley Road and St Catherine's Road to ensure that there would not be any significant overlooking or loss of privacy to the extent that a refusal of planning permission could be justified.

The windows to the rear inward facing elevations would have views over the rear garden of the adjacent property no.50, St Catherine's Road and the properties beyond and oblique views over the rear garden area of the Church Hall. However, as per the relationship with the existing properties along Dudley Road, it is considered that there would be sufficient separation distances to ensure that no significant loss of privacy. Particularly, as the distance between the rear elevation and boundary would be 20 metres or more.

Noise and Disturbance

The two main elements to the development that could be considered to be potential sources of noise and disturbance to existing neighbouring occupiers the demolition and construction phase and the operational element of the proposal.

It is considered that both the demolition and construction phase of the development could be controlled by the submission and approval of a method statement. This would include hours of operation, details of plant and machinery, and how noise, vibration and dust would be controlled using best practicable means. This would be achieved by an appropriately worded condition.

The operational element of the scheme would be unlikely to result in any significant harm beyond that of the noise and disturbance from vehicle movements and deliveries to the site and any operational plant and machinery (extract flues etc.). It is considered that the car parking and access points are located an acceptable distance away from the nearest residential properties as to ensure that neighbouring occupiers would not experience any significant harm to amenity.

A condition requiring details of any operational plant and machinery to be approved would ensure adequate control.

Light Spill

An appropriate condition would require the details of any external lighting to be submitted to and approved in writing. This would ensure that there would be no significant light spill beyond the boundaries of the site.

Visual Amenity

Numerous comments have been made in relation to the impact of the proposal on the street scene and surrounding area. It is accepted that the building would be visible, notwithstanding the existing tree screening on the site. The highest part of the scheme would be situated adjacent to the junction with the building fronting both St Catherine's and Dudley Road. This part of the boundary of the site has a number of smaller trees. But I do not consider that it is necessary to seek to screen the building, certainly not in its entirety. The building would be designed to incorporate roof and ridge materials from St Catherine's House and high quality new materials elsewhere and is designed with a number of breaks and articulations to add interest to the facades.

There has also been much discussion by local residents in relation to building lines. It is accepted by all that the proposal adheres to the established building line for St Catherine's Road. The point of discussion revolves around the Dudley Road frontage. Clearly the eastern most element of the scheme projects beyond the building line of the adjacent church/school and is more akin to the properties opposite. However, would this result in any demonstrable harm? The front elevation would still be set back at least 10 metres from the boundary of the site and would form a focal point to the development. As such it is accepted that the development would project beyond the building line of Dudley Road, but it is considered that it is acceptable projection that would not result in such a detrimental impact on visual amenity and the character and appearance of the area to warrant refusal of planning permission on this ground.

It is accepted that the proposal would result in built form closer to the neighbouring dwellings than at present. However, it is considered that the separation distances would ensure that there would be no significant loss of residential amenity to the neighbouring occupiers that could justify refusal on these grounds.

It is acknowledged that the outlook from the neighbouring dwellings would change as any views over the site would be removed. I accept that these changes may not be welcomed. But to ensure that the existing occupiers would experience no adverse impact from a new development would be an unreasonable level of test for a proposed development.

Impact on Heritage Assets

It is clear from the comments of the Acting Principal Conservation Officer that it is unlikely that the building would be listed:

He states:

"It is questionable as to whether St. Catherine's House is of sufficient architectural or historic interest for a building of its period to warrant inclusion on the statutory list. Even though its historical associations are known and are of local significance, they are not of national significance. The building is, therefore, undoubtedly of Local Interest and worthy of consideration for inclusion on any Local List that may be compiled. However, inclusion on a Local List would not afford it statutory protection from demolition".

Impact on the adjacent listed building (Stonebridge House) is also discussed. Notwithstanding the fact that the building is four storeys, it is considered that the development would not have any more impact on the setting of the adjacent listed building than the four storey apartment development on Welham Street. It is not considered that cumulatively the developments would have an adverse impact that could justify refusal. (Members should be reminded of planning application S07/0854 which the Development Control Committee resolved to approve subject to a S106

but which was ultimately dismissed at appeal. That scheme proposed significantly more built form adjacent to the listed building than is proposed as part of this development).

As such the decision to be made is whether or not the proposed development is of such quality coupled with the community benefit that the retirement accommodation would provide outweighs the loss of the undesignated heritage asset.

The comments of English Heritage confirm that the building does not meet the criteria for designation in a national context.

It is accepted that if the site was located within a conservation area, the existing building would be afforded a degree of protection. Conservation area consent for demolition would be required. Both the demolition and the new build element of the scheme would be the subject of the planning authority's duty to pay "special attention to the desirability of preserving or enhancing the character and appearance of the area".

Whilst in this instance the site is not within a conservation area, a similar assessment has already been undertaken. Both the loss of the existing building(s) and the impact of the new build element are considered as part of this planning application.

It is anticipated that the end to end time for a conservation area to be made is approximately 3 months. It is considered that it would be unreasonable to hold this application in abeyance for such a period.

Section 106 Heads of Terms

The following Developer Contributions are sought:

Affordable Housing (off site contribution)	up to 35%
Local Highway improvements	£3,000
Primary Care	£39,776

There have been significant discussions in relation to the amount of developer contributions appropriate for this proposal. The applicant's agent has submitted a development appraisal which indicates that the scheme can contribute £105,000.

The submitted development appraisal has been assessed by an external consultant acting on behalf of South Kesteven District Council. They consider that the submitted development appraisal is a fair assessment, and acknowledge that construction is difficult in the current economic climate.

Whilst the level of affordable housing contribution is significantly less than 35% members must take on board the advice given in relation to developer contributions from the Chief Planning Officer:

“Understanding the impact of planning obligations on the viability of a development will be an important consideration....”

“To further ensure that development can go ahead, all local authorities should reconsider, at developers’ request, existing S06 agreements that currently render schemes unviable, and where possible modify those obligations to allow development to proceed, provided this continues to ensure that the development remains acceptable in planning terms.”

(Planning for Growth, Steve Quartermain, Chief Planner, 31st March, 2011).

In light of the above advice, and the general presumption in favour of sustainable development, it is considered that the proposal would result in an acceptable form of development, in a sustainable location, providing a community facility. Developer contributions to mitigate the development would be secured in relation to highway matters and Primary Care.

There would be an acknowledged shortfall in relation to affordable housing contribution. It is anticipated that the £62,224 would secure 1 or 2 affordable units. This represents a level of contribution of approximately 1.5% - 3%.

Our consultants do however suggest that this lower level of contribution could be supplemented with a claw back should the applicants secure a higher level of return. For example any returns above a 20% profit seems appropriate.

Crime and Disorder

It is considered that the development would not result in any significant adverse crime and disorder implications.

Human Rights Implications

Articles 6 (Right to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation. It is considered that no relevant Article of the act will be breached.

SUMMARY OF REASON(S) FOR APPROVAL:

The proposal would relate to the demolition of 49 St Catherine's Road and 1A Dudley Road and the construction of a 44 bed retirement apartments for the elderly. It is considered that the proposal would result in a satisfactory form of sustainable development that would not result in any significant detrimental impact on the character and appearance of the street scene and the surrounding area. Whilst the scheme would result in built form closer to existing properties it is considered that separation distances would be sufficient to ensure that there would not be any significant loss of amenity that could justify refusal of planning permission on this ground.

It is accepted that the existing building, St Catherine's House on the site is of local interest and makes a positive contribution to the character of the area. However, it is considered that the building is unlikely to be included in any statutory list. The replacement building would form a focal point at the corner of St Catherine's Road and Dudley Road and would add interest to the character and appearance of the area.

The local highway authority has assessed the scheme and negotiated amendments predominantly resulting in the vehicular access being located on Dudley Road to ensure the free flow of traffic along St Catherine's Road.

As such the proposal is considered to accord with the objectives of PPS1 Delivering Sustainable Development, PPS3 Housing, PPS4 Planning for Sustainable Economic Growth, PPS5 Planning for the Historic Environment, PPG13 Transport and PPS25 Planning and Flood Risk, East Midlands Regional Plan Policy 1 Regional Core Objectives and Policy 2 Promoting Better Design, South Kesteven Core Strategy Policy EN1 Protection and Enhancement of the Environment, EN4 Sustainable Construction and Design, and SP1 Spatial Strategy.

A number of concerns have been raised in relation to visual amenity, residential amenity, highway safety, loss of the existing building, impact on form and character of the area and street scene. However they are not considered to outweigh the policies referred to above.

Recommendation 1

That committee resolve to approve the application and delegate authority to the Development Management Service Manager in consultation with the Chairman and Vice Chairman to grant planning permission subject to the signing of a Section 106 legal agreement securing appropriate developer contributions and appropriate uplift and subject to the following conditions:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. No development shall commence until final details of the materials to be used in the construction of external walls and roofs have been submitted to and agreed in writing by the Local Planning Authority. Only the agreed materials shall be used in the development.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

3. No development shall take place within the application site until the applicant has secured the maintenance of an on-site watching brief by a suitably qualified and experienced archaeologist during construction work in accordance with written details which have been submitted to and approved in writing by the Local Planning Authority. In the event of important archaeological features or remains being discovered which are beyond the scope of the watching brief to excavate and record and which require a fuller rescue excavation, then construction work shall cease until the applicant has secured the implementation of a further programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to provide a reasonable opportunity to record the history of the site and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

4. Within seven days of the new access being brought into use, the existing access onto St Catherine's Road shall be permanently closed in accordance with a scheme to be agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

5. The arrangements shown on the approved plan 1753-1-03 Rev A dated 7th September 2011 for the parking/turning/manoeuvring/loading/unloading of vehicles shall be available at all times when the premises are in use.

Reason: To enable calling vehicles to wait clear of the carriageway of Dudley Road and to allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety.

6. Development shall not be commenced until a Travel Plan has been submitted to and approved in writing by the local planning authority. Those parts of the approved Travel Plan that are identified therein as being capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.

Reason: In order that the local planning authority conforms to the

requirements of PPG13 Transport, a Travel Plan has been conditioned to ensure that access to the site is sustainable and reduces dependency on the car.

7. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development Order) 1995 (or any order revoking or re-enacting that order with or without modification), no windows/dormer windows (other than those expressly authorised by this permission) shall be constructed.
8. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before [the use hereby permitted is commenced] or [before the building(s) is/are occupied] or [in accordance with a timetable agreed in writing with the local planning authority]. Development shall be carried out in accordance with the approved details.

Reason: To provide a satisfactory appearance by screening rear gardens from public view and in the interests of the privacy and amenity of the occupants of the proposed dwellings and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

9. The premises shall not be occupied until the works been carried out in accordance with the surface water strategy unless otherwise agreed in writing by the local planning authority.

Reason: To ensure a satisfactory means of surface water drainage.

10. Prior to the commencement of development on site a method statement regarding the proposed demolition and construction works shall be submitted to and approved in writing by the local planning authority. The statement shall cover the following points:

- a) Hours of operation.
- b) Types of machinery and equipment to be used on site; and
- c) Details of how noise, vibration and dust are to be controlled, used best practicable means.
- d) The method statement shall also include details of the method of demolition and storage to ensure that the materials to be salvaged are not irreparably damaged beyond suitability for re-use. The demolition shall be undertaken strictly in accordance with such Method Statement as may be approved, unless the Local planning Authority gives its written agreement to any variation.

The works shall be carried out in accordance with the approved method statement.

Reason: To ensure that the demolition and construction of the development is carried out according to best practice to minimise disruption to neighbouring occupiers and to ensure that demolition of the building is undertaken in such a

manner that will not compromise the re-use of materials and features of the existing building in the new development, as agreed with the Local Planning Authority.

11. Prior to the installation, details of any flue/extractor systems shall be submitted to and approved in writing by the local planning authority. Details shall include noise levels and method of mounting to minimise sound transmission. The development shall be undertaken in accordance with any such details that are approved.

Reason: In the interests of residential amenity of neighbouring occupiers and in accordance with policy EN1 of the adopted South Kesteven Core Strategy.

12. Before any plant and machinery is used on the premises precise details of mounting, sound insulation and operating noise levels shall be submitted to and approved in writing by the local planning authority. The development shall operate in accordance with any such details that are approved.

Reason: To protect the amenity of neighbouring occupiers and to accord with policy EN1 of the adopted South Kesteven Core Strategy.

13. Prior to the commencement of the development on site, the asset, including any surviving garden features, shall be recorded by a full measured survey and photographic record in accordance with details to be submitted to and approved in writing by the local planning authority. Copies shall be deposited with the local planning authority and the Lincolnshire Historic Environment.

Reason: To ensure that records of the heritage asset are appropriately recorded and retained.

14. Notwithstanding the submitted information trees 1 to 4 and 10 to 17 shall be retained, and no works shall be undertaken to them until precise details of the proposed works have been submitted to and approved in writing by the local planning authority.

Reason: In the interest of visual amenity and the character and appearance of the area.

15. All retained trees shall be protected in accordance with the approved method statement prior to any works commencing on site unless otherwise agreed in writing by the local planning authority.

Reason: To ensure adequate protection of the trees on the site during the development.

16. Notwithstanding the submitted arboricultural method statement, the following additional information shall be provided prior to the commencement of any works on site:

- a) Precise details of no-dig permeable hard surfacing to be installed

inside and adjacent to the root protection areas of the retained trees.

- b) Precise details of the protective fencing to be installed around the retained trees on the site.
- c) Precise details of how scaffolding will be erected inside the root protection areas of the retained trees.
- d) A qualified arboricultural supervisor shall be appointed to monitor and supervise works on the site and ensure that the retained trees on the site are adequately protected from the development. Contact details of the appointed arboricultural supervisor shall be provided to the local planning authority.

The development shall be undertaken in accordance with the approved details.

Reason: To ensure a satisfactory form of development and to ensure that the trees on the site are adequately protected during the duration of the development.

17. The development hereby permitted shall be undertaken in accordance with the approved ecological assessment specifically the recommendations and conclusions requiring the following:

- a) A dedicated bat survey shall be undertaken and its findings shall be submitted to and approved in writing by the local planning authority prior to any demolition works or any works to trees shrubs commencing on the site.
- b) Any clearance work shall be undertaken outside of the bird nesting season (March to August inclusive) unless otherwise agreed in writing by the local planning authority.
- c) Details of bat and bird boxes to be incorporated into the design of the new building shall be submitted to and approved in writing by the local planning authority. The development shall be constructed in accordance with any such details that are approved.

Reason: To ensure any protected species on the site are adequately protected and to ensure a satisfactory form of development.

18. Notwithstanding the requirements of Condition 2 above. Precise details shall be submitted to and approved in writing of how the following salvaged materials shall be incorporated into the new development.

- a) Gault Clay bricks
- b) Metal gates and posts
- c) Metal railings

The development shall be undertaken in accordance with any such details that are approved.

Reason: In the interests of visual amenity.

19. The occupiers of the development hereby permitted shall be:

- i) persons of 55 years or over;
- ii) other persons who are living as part of a single household with a person or persons aged 55 years or over;
- iii) persons who were living as part of a single household with a person or persons aged 55 years or over who have since died.

Reason: A reduced parking standard has been applied to the development as it relates to retirement accommodation. Use of the apartments for general housing would result in additional on-street parking which would be detrimental to highway safety and in accordance with Policy EN1 of the Saved Policies of the South Kesteven Local Plan.

20. The development hereby permitted shall be carried out in accordance with the following list of approved plans submitted as part of the application:

Floor Plan 1753 -01 -05, Elevation Plan 1753-01-04 and location plan 1753/1/01.

Reason: To define the permission and for the avoidance of doubt.

Note(s) to Applicant

1. Please see attached comments from the Police Architectural Liaison Officer.
2. Prior to the submission of details for any access works within the public highway you must contact the Divisional Highways Manager on 0152 782070 for application, specification and construction information.
3. You are advised that the application site falls within an area affected by Radon. You are asked to contact the Council's Building Control section (telephone number 01476 406187) to ascertain the level of protection required and whether a geological assessment is necessary.
4. This permission shall not be construed as granting rights to development on, under or over land not in the control of the applicant.
5. The attached planning permission is for development which will involve building up to, or close to, the boundary of the site. Your attention is drawn to the fact that, if you should need access to neighbouring land in another ownership in order to facilitate the construction of the building and its future maintenance, you are advised to obtain permission from the owner of such land for such access before work is commenced.

Recommendation 2

Where the agreement has not been concluded prior to the committee a period not exceeding six weeks post the date of the committee shall be set for the completion (including signing) of the agreement. In the event that the agreement has not been concluded within the six week period and where in the opinion of the Development Management Service Manager acting in consultation with the Chairman of the Development Control Committee, there are no extenuating circumstances which would justify a further extension of time, the related planning application shall be

refused on the basis that the criteria essential to make what would otherwise be unacceptable development acceptable have not been forthcoming.

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