

Development Control Committee
4 August 2009

KJC1 **S09/0855/MJNF**

Target Decision Date: 03-Sep-2009

Applicant	Matt Richardson, Hunt Habitats 11, Clarendon Street, Nottingham, Nottinghamshire, NG1 5HR
Agent	Keith Clark, C B P Architects 44, The Ropewalk, NOTTINGHAM, NG1 5EL
Proposal	Demolition of Brown Acres and construction of 75 bedroom carehome for elderly
Location	Brown Acres, Green Lane, Grantham, NG319PP
App Type	Major Full (Non-residential)
<u>Parish(es)</u>	Grantham

REPORT

Members may recall that this application was deferred from the last committee in order to obtain the comments of the Lincolnshire Primary Care Trust. Accordingly, the committee report is included in full and the comments of the Primary Care Trust will be reported in the late items paper.

Application Category

Major Non Residential

Reasons for referral to Committee

The Lead Professional considers the application should be determined by committee.

The Proposal

The proposed development relates to the demolition of the Brown Acres and the construction of a 75 Bedroom Care home. The building has been designed to have a traditional appearance incorporating brickwork, stone detailing, and wooden windows and concrete tiles with 2.5 storeys to the front of the site reducing down to 1.5 storeys to the rear. The building would be set back from the frontage of the site to accommodate the proposed parking.

The main core of the building would be 2.5 storeys with an overall ridge height of 11.5 metres. The remainder of the building would be 1.5 storeys with a ridge height of 8.6 metres.

The application site and its surroundings

The site is currently occupied by Brownacres and is adjacent to Belton Lane Community Primary School. The site is approximately one and a half miles from the north of Grantham town centre. The site would be accessed off Green lane, which in turn is accessed off Belton Lane. The surrounding area is predominantly residential with the exception of the adjacent school.

The nearest residential properties to the proposed development are the bungalows on Acorn Close and 108, Belton Lane. The residential properties to the north of the application site on Braemar Close are separated from the application site by Green Lane.

The site area is approximately 0.46 hectares and is currently occupied by the residential property Brownacres. This would be demolished to facilitate the development.

Representations Received

Local Highway Authority

Requests that any grant of planning permission shall include conditions relating to:

1. specification and construction of the access.
2. parking turning in accordance with the submitted plan
3. No works on site until works to improve the public highway (alterations to provide a shared footway/carriageway).
4. details of surface water disposal to be submitted and approved.
5. Submission of a travel plan and operation of the premises in accordance with the travel plan.

Historic Environment Officer

The application does not affect any known archaeological sites. I would therefore advise that no archaeological intervention or conditions are required.

Police Architectural Liaison Officer

I have studied the plans and note that all aspects of security and community safety appear to have been considered and documented in the design and access statement.

Environmental Protection

I would request that details to be submitted to include the equipment in the plant rooms, and any extraction/ventilation systems. This is needed to assess any potential noise nuisance which may affect local residents and as such noise levels should be provided.

Anglian Water

A comprehensive response has been received regarding surface and foul water drainage. Anglian Water have not objected to the proposed developed but have suggested a number of informative statements are attached to any grant of planning permission relating to requirements under the Water Industry Act etc.

Planning Policy

In commenting upon the previous application I made the following observations:

1. concern about the overall scale of the building within its setting, and in relation to neighbouring properties,
2. concern about the actual size of the facility proposed, together with its location away from services and public transport which may result in a large increase in the number of private car trip within this residential area and adjacent to a primary school.

3. question the level of need for this size facility and issues relating to the type of care provided.

The revised application appears to have satisfactorily addressed point 1 with a reduction in the overall size and a change in the design and layout of the proposed facility which effectively reduces its visual impact within the site. Issue 2 is also addressed by the overall reduction in bed spaces, together with a clearer assessment of the availability of public transport near to the site. There will still be a large increase in car trips in the proximity of the primary school. However this is an issue which will be addressed by LCC as Highways authority.

Item 3 has been addressed in both the D&A and the additional demographic study. These demonstrate that the population of over 65's in the UK and Lincolnshire is rising steadily and will continue to do so over the coming decades. In addition it is clear that South Kesteven and Lincolnshire as a whole already has a larger than average population of elderly people. The case has also been made for a need to an increase in the amount of better quality bed spaces to meet the increasing demands of this growing population of 60+ age group within the Grantham catchment.

Arboriculturalist Officer

The garden area contains a collection of ornamental trees that have been planted close together are now competing with one another.

All the trees to be retained will have to be protected in accordance with the requirements of BS5837:2005.

The proposed landscaping of the site will compensate for the trees that are to be removed.

Architectural Liaison Officer

I have studied the plans and note that all aspects of security and community safety appear to have been considered and documented in the design and access statement.

Comment has been made regarding the pruning of trees so as to not mask any lighting columns etc. These comments have been attached as a note to applicant.

Representations as a result of publicity

The application has been advertised in accordance with the adopted Statement of Community Involvement. 24 letters of objection have been received. A summary of their main concerns are listed below:

1. The new home is higher than the existing. Much higher than any in the area
2. Create a dominant and oppressive environment
3. Overlooking loss of privacy
4. Visual intrusion
5. Noise from the car park/traffic noise would result in noise and disturbance over a 24 hour period.
6. Loss of residential amenity from noise and disturbance
7. Green Lane is narrow and unsuitable for an increase in vehicle movements
8. Lights may be on all night which would be visually intrusive
9. Loss of trees which create an effective screen at present. Cannot be replaced in the short term.

10. Highway safety as a result of increase in cars and commercial traffic/deliveries.
11. Conflict with pedestrian and cycle users along Green Lane.
12. Overflow parking would occur on Belton Lane
13. The internal and external lighting of a 24 hour care home would impact on peace and privacy and increase light pollution
14. Care Home would overlook the school allowing observation of the children which would concern parents
15. Construction traffic may block Green Lane which is used as disabled access by children. Health and safety risk to children
16. Increased presence of adults in the vicinity of the school would desensitise the children to 'stranger danger'
17. Light pollution
18. Access for emergency services down Green Lane would be limited
19. Consider junction at Belton Lane would be dangerous and unsuitable for the development
20. If approved the site should be screened to minimise the effect of dust, dirt, noise to nearby residents
21. Boundary treatment should be in place before construction is commenced.
22. Hours of construction should not be before 8am or after 5pm.
23. Plant room should be suitably sound proofed
24. Acorn Close should not be used as an overflow car park
25. Detrimental to visual amenity to the area
26. Do not consider the road network can accommodate the additional burden of the development
27. Car parking is not sufficient. Cannot accept any parking on Belton Lane
28. Green Lane is not wide enough.
29. Disagree with traffic survey. Belton lane is used by industrial traffic to Alma Park
30. Noise and disturbance from vehicle movements to and from the site during construction and operation
31. Limited visibility at the junction of Green Lane especially when turning right onto Belton Lane
32. Parking congestion occurs at similar care homes and will occur here
33. There is a covenant restricting the use of the land for business purposes (not a material planning consideration private legal matter)
34. Building is tall and out of character with its surroundings. It has a prison like appearance, too high and too close to the adjacent bungalows.
35. The reduction in the number of rooms from the previous application S08/1027 does not address the previous concerns of access, parking, traffic and noise.
36. Is there sufficient capacity in the network to accept surface and foul drainage from the proposal
37. Proposal would increase surface water run off of the site
38. Car park would be adjacent to properties on Braemar Close and would result in noise and disturbance
39. The current trees at Brown acres would be lost and they provide a wildlife habitat
40. The submitted traffic survey is one year old and not a true reflection of the current situation
41. Survey was undertaken at peak times. There are HGV's travelling at all times along Belton lane which would be dangerous to vehicles leaving Green Lane.
42. The need for the care home is questioned as a recently constructed care home is not full.

Applicants Submission

The applicant has submitted a Design and Access Statement, Access Report and Tree Survey and information to demonstrate need for the development.

The conclusions of the Design and Access Statement are summarised below:

The proposed development at the Brownacres site is a 75 bedroom residential care home for the elderly only designed as an individual traditional style building. The site is ideal for this use, since it is set within a secure community with facilities and public transport close by. The site is flat and the existing landscaping is mature and established. The main constraint is the surrounding residential properties and school. However, we have provided a design which is sympathetic to both.

The design has been led by consultation with South Kesteven District Council, the planning policy and guidance, the requirement to achieve a financially viable scheme, its Environmental Impact, and the desire to provide a pleasing functional building with its own architectural character. The impact of the design has been assessed through diagrams, sections and 3-D visuals contained in this report. The proposal sits within the planning guidelines in terms of its proximity to the local residences and it is adjacent to Belton Community Primary which is a large mass building.

The size of the building has been reduced to a domestic scale by using smaller elements and through the use of a variety of materials, solids, transparency and texture. The section has been developed to give the lowest possible roof height and a double gable end. Traditional materials have also been selected to enhance the character of the area and have been selected to enhance the character of the area and have been chosen for their traditional high quality, durability and sustainability and availability. Architectural features include: dormer timber windows (exposed rafters and lead style cheeks), cant brick sills, dental course, reconstituted stone corbels, keystones and spring stone, rosemary style tile, rise and fall brackets to guttering, double ended gables and brickwork slots (gable vents).

The building sits within a pleasing landscaped site with a new access road and footpath. The site has its own parking which has been designed (with a generous 6 metre landscaped buffer), to minimise the disturbance to neighbouring properties.

We consider that there is a positive case to support this application, given the building use (for the care of the elderly), employment opportunities, fit for purpose site and the design which has been led by pre-application consultation and planning policy guidance.

The applicants have indicated that the care home would provide employment to the local community. They estimate that the development would provide 18 jobs.

1 member of staff per 8 residents = 10.
1 receptionist/secretary
2 managerial staff
2 kitchen staff
2 cleaners
1 gardener (part-time).

Site History

S08/1027 – Demolition of Existing Dwelling and Erection of Residential Carehome – Application withdrawn 3 December 2008.

Policy Considerations

National Policy

PPS1 – Delivering Sustainable Development

PPG13 – Transport

Regional Planning Policy

East Midlands Regional Plan

Policy 2 – Promoting Better Design

Policy 3 – Distribution of New Development

Saved Policies of the South Kesteven Local Plan

EN1 – Protection and Enhancement of the Environment

Key Issues

The main issues for consideration in relation to this development are visual amenity, residential amenity and highway safety.

Visual Amenity

The proposal has been designed to incorporate local vernacular architectural styles and traditional building materials, and is of a scale that can be seen as a logical transition between the adjacent school to the east and bungalows to the west. The proposed car parking would be located at the front of the site with a central access point. The existing planting on the site would be reinforced around the boundary.

The 1.5 storey element of the proposal would be screened by the 2.5 storey main building when viewing the proposal from Green Lane.

It is accepted that the proposal would result in more built form on the site than exists in the form of Brownacres. However, it is considered that the siting, design, overall height and existing and proposed landscaping on the site would ensure that the proposal would not have a detrimental impact on the character and appearance of the area.

The existing property Brownacres is not a listed building and the application site is not located within a conservation area. The existing property, whilst a perfectly serviceable dwelling, does not have any specific architectural merit or have any particular role in the character and appearance of the street scene. In fact there are very few vantage points at which the existing dwelling is readily visible until in close proximity to the site. As such there is no valid planning reason to require the retention of the existing property.

Residential Amenity

The proposal would be located roughly centrally within the site. The two and a half storey main body of the development would be located adjacent to the rear garden of 108 Belton Lane. At this

point there is a separation distance between the proposed building and 108 Belton Lane is approximately 28 metres.

The remaining one and a half storey element of the scheme located to the rear of the site would be approximately 26 metres from the adjacent school building and approximately 13 metres from the nearest bungalow 4, Acorn Close.

The residential properties on Braemar Close are separated from the proposal by Green Lane and are over 40 metres from the proposed building, and approximately 18 metres from the frontage of the site.

It is considered that these separation distances are adequate to ensure that there would be no significant overshadowing or loss of daylight/sunlight to the neighbouring properties and associated garden areas that could warrant refusal of planning permission on these grounds.

It is accepted that erection of the proposal on the site would result in built form significantly closer to the neighbouring dwellings than at present. It is considered that the existing and proposed boundary treatments and separation distances would ensure that there is 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 adjacent garden 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.

Careful consideration has been given to the siting of the building, its internal layout and the siting of windows to ensure that there would be no significant overlooking/loss of privacy of either the neighbouring residential properties or the adjacent school. Any overlooking would be at an oblique angle, which when coupled with the aforementioned separation distances would ensure current privacy levels would not be significantly affected to an extent that could justify the refusal of planning permission on this ground. The separation distances between the proposed development and the properties on Braemar Close, and their associated private garden areas is sufficient to ensure that there would be not be any significant overlooking or loss of privacy notwithstanding the two and half storey nature of the development.

Car parking would be located at the frontage of the site either side of the access to the proposal. It is considered that there is sufficient separation between the parking area and the nearest properties on Braemar Close to ensure that the neighbouring occupiers would not result in any significant noise and disturbance that could justify refusal on this ground.

Comments from the Council's Environmental Protection section have requested details of the precise location of any extract ducts and details of the plant and machinery including noise levels to ensure there would be no significant loss of amenity from operational use of the building. It is considered that this matter can be successfully addressed by an appropriately worded condition.

Highway Safety

It is accepted that the proposed development would increase the comings and goings to the site beyond that to a single dwelling. However, the proposal has been assessed by the local highway authority and subject to appropriate conditions have not objected to the proposal.

The highway authority has stated:

“The applicant has engaged the local highway authority throughout the pre-application and application process. The report and submitted data is considered robust, the use of TRICS data is acknowledged as acceptable.

The guidance document ‘Manual for Streets’ provides developers with information covering matters such as visibility splays and the layout of roads. The applicant has provided detail and proposals that complies with the information contained within that document, and indeed with regard to visibility splays comfortably exceeds the derived stopping sight distances”.

SUMMARY OF REASON(S) FOR APPROVAL

The proposed development is considered to be an acceptable form of development to meet an identified need. As such the proposal is considered to accord with the thrust of national policy contained in PPS1 Delivering Sustainable Development, PPG 13 Transport, Policies 2 and 3 of the East Midlands Regional Plan the saved policy EN1 (i), (iii), (vi) and (vii) of the South Kesteven Local Plan and whilst concerns have been raised in relation to visual amenity, residential amenity, highway safety and highway capacity and noise and disturbance they are not considered sufficient in this case to indicate against the proposal and to outweigh the policies referred to above.

CASE OFFICER RECOMMENDATION: That the development be Approved subject to condition(s):

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 Saved Policy EN1 of the South Kesteven Local Plan.

3. No development approved by this permission shall be commenced until a scheme for the provision of surface and foul water drainage has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed to the satisfaction of the Local Planning Authority.

Reason: To prevent the increased risk of flooding and to prevent pollution of controlled waters by ensuring the provision of a satisfactory means of surface and foul water disposal.

4. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the local planning authority.

Reason: Hard and soft landscaping and tree planting make an important contribution to the development and its assimilation with its surroundings.

5. The boundary treatments hereby approved as per Dwg No. 3982 (20) 003 Revision A shall be constructed prior to the demolition of the existing dwelling unless otherwise agreed in writing by the local planning authority.

Reason - To protect the amenity of neighbouring occupiers in accordance with policy EN1 of the saved South Kesteven Local Plan.

6. Before development is commenced on the site, all existing trees shown on the approved plan shall be fenced off to the limit of their branch spread. No works (including removal of earth) storage of materials (including soil) vehicular movements or siting of temporary buildings shall be permitted within these protected areas. All trees shall be protected in accordance with the requirements of BS5837:2005.

Reason - To protect the trees on the site in accordance with policy EN1 of the saved South Kesteven Local Plan.

7. Notwithstanding the submitted details before any development is commenced the approval of the District Planning Authority is required to a scheme of landscaping and tree planting for the site (indicating inter alia, the number, species, heights on planting and positions of all the trees). Such scheme as may be approved by the District Planning Authority shall be undertaken in the first planting season following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the District Planning Authority gives written consent to any variation.

Reason - Landscaping and tree planting contributes to the appearance of a development and assists in its assimilation with its surroundings. A scheme is required to enable the visual impact of the development to be assessed and to create and maintain a pleasant environment in accordance with policy EN1 of the saved South Kesteven Local Plan.

8. Prior to commencement of work on site a method statement regarding the proposed demolition and constructions 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 the site; and
- c) Details of how noise, vibration and dust are to be controlled using best practicable means.

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

Reason - To ensure that the construction and demolition of the development is carried out according to the best practice to minimise disruption to adjoining occupiers in accordance with policy EN1 of the saved South Kesteven Local Plan.

9. 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 unless otherwise agreed in writing by the local planning authority.

Reason - To protect the amenity of neighbouring occupiers and to accord with the policy EN1 of the saved South Kesteven Local Plan.

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

Reason - In the interests of residential amenity of neighbouring occupiers and in accordance with the policy EN1 of the saved South Kesteven Local Plan.

11. No additional windows or other openings other than those expressly permitted by this permission shall be constructed unless otherwise agreed in writing by the local planning authority.

Reason - To protect the amenity of neighbouring occupiers and to accord with policy EN1 of the saved South Kesteven Local Plan.

12. The arrangements shown on the approved plan 3982 (20) 003 Rev A dated 4 June 2009 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 Green Lane and to allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety.

13. No development shall be commenced (apart from those works identified to include alterations and widening to provide a shared footway/carriageway, together with all necessary ancillary works as indicatively shown on drawing number 09015/101 and as described in the Access Report submitted with the application received 4 June 2009 or as specified) before the works to improve the public highway have been certified complete by the Local Planning Authority.

Reason - In the interests of safety of the users of the public highway and the safety of the users of the site.

14. Within 6 months of the development being occupied, a Travel Plan shall be submitted to, and approved in writing by the local planning authority. Thereafter annually a staff survey shall be analysed and submitted to the local planning authority that will provide details of the implementation of the Travel Plan. The occupier shall ensure that travel arrangements are fulfilled in accordance with the Travel Plan, unless the local planning authority stipulates approval to any variation.

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.

Note(s) to Applicant

1. No works shall commence on site until a Section 278 Agreement, Highways Act 1980 has been entered into with the local highway authority, Lincolnshire County Council to alter and widen Green lane, together with all necessary ancillary works.
2. Note to applicant: Please see attached letter from the Architectural Liaison Officer.
3. Prior to the submission of details of any access works within the public highway you must contact the Divisional Highways Manager on 01522 782070 for application, specification and construction information.
4. Please see enclosed Anglian Water letter
5. No development shall take place before the detailed design of the arrangements for surface water drainage has been agreed in writing by the Local Planning Authority and no building shall be occupied before it is connected to the agreed drainage system.

Reason - To ensure that surface water run-off from the development will not adversely affect, by reason of flooding, the safety, amenity and commerce of the residents of this site.

6. This permission shall not be construed as granting rights to development on, under or over land not in the control of the applicant.
7. 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.

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Applicant	Mr Craig Marks, Menta Developments Ltd 9-10, St Andrews Square, Edinburgh, EH2 2AF
Agent	Mr Matt Hubbard, Antony Aspbury Associates Limited 20, Park Lane Business Centre, Park Lane, Basford, Nottingham, NG6 0DW
Proposal	Erection of 5 dwellings and improvements to access
Location	The White House, Casthorpe Road, Barrowby, Grantham, NG321DW
App Type	Full Planning Permission
Parish(es)	Barrowby

REPORT**Application Category**

Dwellings Minor

Reasons for Referral to Committee

The application may generate local interest.

The Proposal

The proposal relates to the construction of 5 dwellings on land to the rear of The White House. The proposed dwellings are a mix of 2 and 3 storey properties. As with the previous submission, it is proposed to construct the access through the mature trees and employ a no dig construction to prevent any damage to root systems. Services would be provided in a similar manner using micro-boring to minimise impacts on the trees.

Plot 1 would have the lowest ridge height as this property is closest to the White House of approximately 7.7 metres. Plots 2 and 5 to the southwest and southeast corners of the site would be of a 2 storey design with a ridge height of approximately 9 metres. The central properties, plots 3 and 4 would be 3 storey in height incorporating rooms in the roof space with an overall ridge height of approximately 9.5 metres.

The application site and its surroundings

The application site is located on the south side of Casthorpe Road approximately 300 metres from the central, older core of the village to the east. Existing properties along Casthorpe Road are predominantly linear in form. Directly opposite the application are a number of detached bungalows. To the south of the site are open fields.

The site is well landscaped with a number of mature trees. The central part of the site is open and grassed.

Representations Received

Local Highway Authority

Requests that any permission should include conditions relating to the visibility splays, access and turning area in accordance with the submitted plan.

Parish Council

Any comments will be reported in the late items paper or verbally to committee.

Landscape Officer

This application is using the same development window and construction methods for the access road and services into the site, as per the previous application. Therefore it will not impact on the trees to be retained.

Assets and Facilities (Drainage)

Any comments will be reported in the late items paper or verbally to committee.

Representations as a result of publicity

The application has been advertised in accordance with the adopted Statement of Community Involvement. Eleven letters of objection have been received.

A summary of the main concerns are listed below:

1. Visual intrusion
2. Overlooking and loss of privacy
3. The eastern elevation of plot 5 would face over our ground and almost directly into the rear of my house and garden.
4. Plot 5 should be realigned so that the east and south elevations were parallel to east and south boundaries as per the other plots.
5. Would constitute a backland form of development.
6. Detrimental to the amenity of nearby residents and have an adverse effect on upon the form and character of the village.
7. The original application was for five dwellings which was withdrawn due to an objection from the local authority. Presumably these objections would equally apply and should be considered when dealing with this application.
8. This application is for five houses. Together with the existing large property and conversion results in 7 dwellings. The White House is large enough for multiple occupation. Just how many vehicles and daily vehicle movements will be concentrated in this one small area.
9. Neighbouring properties are single plots with minimal traffic disturbance.
10. A protected species report is required to determine the impact this proposal would have on them.
11. The development is a different character than the previous application and should not be treated as an amendment piggy backing the consent already granted.
12. The proposal aggravates the serious problems that exist with the previous proposals for the site. In particular the extra traffic generated by the larger development will exacerbate the dangerous road safety hazards at several points along Casthorpe Road.
13. Problems are increased during school start and finish times.

14. Concern regarding the welfare of the mature trees on the site.
15. The White House is a large house and has a large garden that is in keeping with its size. The building of houses in the garden would be visually intrusive.
16. Plot 5 being built at an angle would directly face us. Could this not be turned in line with the boundary so there would be no direct overlooking and would have a more open view across the paddock.
17. No one would want to live in a house surrounded by trees as they will need lights on because of the trees.
18. We would be overlooked and lose our privacy if this goes ahead. We cannot see the trees being retained once the houses are occupied and then we will have no privacy.
19. The proposed road would run close to the boundary wall which is need of repair and built on shallow foundations. I am very concerned as to what effect the heavy plant and occupiers vehicles would have on the wall.
20. Safety of my children during construction phase.
21. The construction of the proposed road is not included. This could have implications on the amount of noise generated. If the material to be used is gravel I feel this could be a noise nuisance. The passing point could also create noise from vehicles as they pull in and accelerate to pull out fairly close to property.
22. Casthorpe Road is narrow and becomes congested with vehicles unable to pass one another in the morning 8.30 am to 9.15 am and in the afternoon from 3.00am to 4.00pm with cars parking to deliver and collect children from Barrowby School.
23. This proposal would potentially generate 14 cars (two cars per dwelling) using Casthorpe Road this must surely make a severe impact on a very narrow already congested road putting everyone's safety at risk.
24. Proposal would set a precedent for development of the long gardens along Casthorpe Road.
25. There is considerable on street parking problems on Casthorpe Road. Another 10 cars from the site will only exacerbate the problem.
26. Trees on the site have been removed in recent months.
27. The increase in dwellings on the site is purely a matter of maximising profits. Once the space is lost it is lost forever.
28. The proposal would have seven properties served by a private entrance.
29. The two additional properties are shoe horned into the site and is not in keeping with the houses and bungalows along Casthorpe Road.
30. The internal layout of the properties i.e. poor relationship between the kitchen and the dining area and there is limited light to the bedrooms giving a feeling of claustrophobia.
31. Proposed dwellings are likely to be occupied by families with children having at least two or four cars per household.
32. Vehicles already speed down this road the significant increase in vehicles exiting the site would be likely to lead to an increased risk of accidents.
33. Casthorpe Road is a diversionary route for the A52. Heavy traffic can be generated if the A52 becomes blocked.
34. I question whether vehicles will be able to effectively clear Casthorpe Road while turning into the development and stopping to open the gates.
35. Can the additional dwellings be accommodated by the existing system?
36. Nothing is shown as to where drains, water supply, power cables, telephone cables are to be located which could result in damage to either root or branches of the retained trees.
37. It is likely that the building activities and the creation of the access road would lead to probable decay and death of the remaining trees.
38. There is potential for the White House to become a white elephant with too large a house for size of plot. There is the potential that if planning permission is granted that the plot would be sold to developers and the White House left to rot and become derelict with its associated problems of squatters/drug users.
39. The proposed dwelling will not add anything to the life of the village. The school is already well oversubscribed so what are the benefits of building these dwellings

40. Barrowby is a conservation area – is the design of these houses in keeping with the character of the area.

Any late comments that are received as part of the consultation process raising new material considerations will be reported in the late items paper or reported verbally to the development control committee.

Applicants Submission

The applicants have provided a comprehensive Design and Access Statement and ‘walkthrough’ plans to demonstrate the relationship with trees on the site.

“The submitted details show a ‘walk through’ of the site and a selected elevational detail of each plot. The dwellings are accurately plotted and in full scale and, whilst the tree ‘types’ are not defined, the locations of the trees in relation to the proposed access road and the dwellings, are also accurate”.

Site History

S05/1602 – Planning permission for the erection of 5 dwellings on the land to the rear of the White House. This application was withdrawn following a recommendation for refusal on highway safety grounds. (No improvements to the visibility splay were included in this scheme).

S06/1572 – Planning permission was granted for the erection of 3 dwellings and the conversion of the Clock tower building to a residential unit at the site on 8th March 2007.

S07/1285 – Planning permission was granted on appeal on 22nd April 2008 for the formation of an access to serve The White House immediately to the east of the main dwelling.

This appeal decision included discussion of Casthorpe Road:

“...I am satisfied that Casthorpe Road should be regarded as a lightly trafficked road. There is no doubt that the western section is residential, and that part beyond may be regarded as a rural lane. Because of the narrow width of the road, the reduced likelihood of overtaking, reduced speeds when overtaking, together with the 30 mph speed limit, it seem reasonable to accept a reduction in standards.

I do accept that the road may be used as a diversionary route but there is no evidence that this is a regular occurrence. There have been no recorded accidents and I do not consider that the incident/s referred to by a neighbour are likely to be regular occurrences”.

S08/0325 – Extension/alterations to the White House was granted planning permission on 30th April 2008.

Policy Considerations

National Policy

PPS1 – Delivering Sustainable Development

PPS3 - Housing

PPG13 – Transport

Regional Planning Policy

East Midlands Regional Plan

Policy 2 – Design and Sustainability

Policy 3 – Distribution of Development

Saved Policies of South Kesteven Local Plan

Policy EN1 – Protection and Enhancement of the Environment

Policy H7 – Housing

Key Issues

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

Visual amenity

The proposed scheme has been sympathetically designed to minimise the impact on the extensive landscaping that exists on the site. The informal nature of the access drive and significant distance between Casthorpe Road and the proposed dwellings would ensure that there would be no significant impact on the street scene or the character and appearance of the wider area.

The proposed dwellings would have significant footprints but would be set in appropriately sized plots. As such the scheme does not appear cramped but can be seen to have a comparable form and grain to that of the existing residential properties to the east of the application site, and can be seen to relate more readily to them than the linear form of the remainder of Casthorpe Road.

Highway Safety

The proposed scheme includes improvements to the access to serve the proposed dwellings. Alterations include improvements to the visibility splays involving works to the front of the White House. These alterations formed part of a previous planning application that was granted planning permission in 2007, (S06/1572).

As such these alterations are considered acceptable from a visual amenity and impact on the street scene perspective.

The comments from the local highway authority regarding the proposed access, incorporating the proposed improvements, indicate that it is satisfactory to serve the proposed dwellings.

The scheme includes appropriate levels of parking provision and adequate turning and manoeuvring within the site.

As such the proposal is considered to be acceptable from a highway safety perspective.

Residential Amenity

It is considered that there is sufficient separation between the proposed dwellings and the existing neighbouring properties to ensure that there would be no significant overshadowing or loss of daylight/sunlight to these adjacent properties and their associated private garden areas.

Whilst there may be windows at both ground floor and first floor of the proposed development facing the existing neighbouring properties (plots 1, 2 and 5). These same separation distances are sufficient when coupled with the disposition of the proposed dwellings in relation to the neighbouring properties to ensure that there would be no significant overlooking and/or loss of privacy that could justify a refusal of planning permission on this ground.

It is acknowledged that the outlook from the neighbouring dwellings would change as a result of the development. Views over the adjacent garden may 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.

The proposed development would without doubt increase comings and goings to the site. It is not however considered that these comings and goings would have any significant detrimental impact on the residential amenity of neighbouring occupiers or the occupiers of the properties directly opposite the entrance to the site. The informal layout of the access would ensure that the speed of vehicles would be curtailed thereby minimising noise and disturbance. This could be further augmented by appropriate materials, i.e. not loose gravel.

It is accepted that there are a significant number of trees on the site. However, the scheme has been designed to ensure that there is no development outside of the Root Protection Area (RPA) of the mature trees to ensure that there is no damage to the trees during the construction of the houses. The comments of the councils landscape architect confirm that the proposal would be within the same RPA as the previously approved scheme and as such does not object to the proposal.

Conclusion

The proposal is considered to be an appropriate use of a brown field site. The proposed dwellings are compatible with the form and character of the area and would not have any detrimental impact on the appearance of the street scene as there would be limited views of the scheme from the public highway due to the separation distance from the road and the extensive natural screening on the site.

The proposed dwellings would be located with sufficient separation distances to existing neighbouring properties to ensure there would be no significant reduction in current amenity levels.

The highway authority has confirmed that they have no objection to the proposed development subject to appropriate conditions.

Crime and Disorder Implications

It is not considered that the proposed development raises any significant crime and disorder issues.

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.

SUMMARY OF REASON(S) FOR APPROVAL

The proposed development is considered to be an acceptable development on a brown field site. Whilst Casthorpe Road has a linear form, the scheme clearly relates to the ad hoc form and character of the village to the east of the application site. The application site is of sufficient distance from Casthorpe Road, which when coupled with the extensive natural landscaping and screening on the site will ensure there would be no significant harm to visual amenity or detrimental impact on the character and appearance of the street scene.

The disposition of the proposed properties which when coupled with the separation distances to the neighbouring properties to the east and west of the site, is sufficient to ensure that there would be no significant overlooking/loss of privacy or overshadowing of the neighbouring properties and their associated private garden areas.

The proposed access, and associated visibility improvements would result in an appropriate means of access to the site that would not be detrimental to highway safety or visual amenity and as there is no objection from the local highway authority it is considered that the surrounding highway network has sufficient capacity to accommodate the proposed dwellings.

As such the proposal is considered to accord with the objectives of national plan policies contained in PPS1, PPS3 and PPG13, the East Midlands Regional Plan Policies 2 and 3 and saved policies EN1 (i), (ii), (iii) and (vi) and H7 (i), (ii), (iii) of the saved South Kesteven Local Plan.

Whilst concern has been raised regarding visual amenity, residential amenity, highway safety, highway capacity, impact of trees, it is considered that they are not in this instance sufficient to outweigh the policy considerations referred to above.

CASE OFFICER RECOMMENDATION: That the development be Approved subject to condition(s):

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 Saved Policy EN1 of the South Kesteven Local Plan.

3. Before the access is brought into use, all obstructions exceeding 0.6 metres high shall be cleared from the land between the highway boundary and the vision splays indicated on drawing number *** dated ***, and thereafter the visibility splay shall be kept free of obstacles exceeding 0.6 metres in height.
4. Before the dwelling(s) is/are occupied, the access and turning space shall be completed in accordance with the approved plan, drawing number *** dated ***, and retained for that use thereafter.
5. Prior to any of the buildings being occupied, the private drive shall be completed in accordance with the details shown on drawing number *** dated ***. (Please note that this road is a private road and will not be adopted as a highway maintainable at the public expense (under the Highways Act 1980) and as such the liability for maintenance rests with the frontagers.)
6. No development shall be commenced until precise details of the finish of the driveway hereby permitted have been submitted to and approved in writing by the local planning authority.

The development shall be undertaken in accordance with any such details that are approved unless otherwise agreed in writing by the local planning authority.

Reason - To ensure a satisfactory form of development and to protect the amenity of neighbouring occupiers in accordance with policy EN1 of the saved South Kesteven Local Plan.

7. Prior to commencement of development on the site details of the proposed materials to be used in the alterations to the entrance hereby permitted shall be submitted to and approved in writing by the local planning authority.

The development shall be undertaken in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason - In the interest of visual amenity and to accord with policy EN1 of the saved South Kesteven Local Plan.

8. The development shall be undertaken in accordance with the approved Arboricultural method statement unless otherwise agreed in writing by the local planning authority.

Reason - To protect the existing trees on the site and to ensure a satisfactory form of development in accordance with policy EN1 of the saved South Kesteven Local Plan.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 1995 (or any other revoking or re-enacting that order with or without modification), no windows, dormer windows or other openings (other than those expressly authorised by this permission) shall be constructed unless otherwise agreed in writing by the local planning authority.

Reason - In the interests of visual amenity and to protect the amenity of neighbouring occupiers.

10. No development approved by this permission shall be commenced until a scheme for the provision of surface and foul water drainage has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed to the satisfaction of the Local Planning Authority.

Reason: To prevent the increased risk of flooding and to prevent pollution of controlled waters by ensuring the provision of a satisfactory means of surface and foul water disposal.

11. No development shall take place until such time as the site has been surveyed to ensure that there are no protected species found to be present. If any protected species are found to be present a scheme of mitigation measures shall be submitted to and approved in writing by the local planning authority and thereby implemented in accordance with the approved scheme.

Reason - To ensure protection of any protected species on the site.

12. No development shall take place until a scheme for the storage of refuse and recycling has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in full as approved prior to the first occupation of any part and the refuse and recycling storage facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse in accordance with Saved Policies H6 and H7 of the adopted South Kesteven Local Plan.

13. 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.

14. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include [proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant.] Soft landscape works shall include [planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme]

Reason: Hard and soft landscaping and tree planting make an important contribution to the development and its assimilation with its surroundings.

15. Notwithstanding the submitted details building operations shall not be commenced until details of the existing and proposed ground levels within the site, and finished floor levels of the proposed building, together with the existing floor and ground levels of adjoining properties have been submitted to and approved in writing by the local planning authority.

Reason - To ensure a satisfactory form of development and in the interest of visual amenity and in accordance with policy EN1 of the saved South Kesteven Local Plan.

16. This permission shall be read in conjunction with the submitted application and the amended plan Dwg No. 1423A (20) 003 Rev B received by the local planning authority from the applicant's agent on 29 May 2009.

Note(s) to Applicant

1. 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.
2. This permission shall not be construed as granting rights to development on, under or over land not in the control of the applicant.
3. 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.
4. Where private drives are proposed as part of any development you should be aware of the requirements laid down in the Lincolnshire Design Guide for Residential Areas.
5. Prior to the submission of details for any access works within the public highway, please contact the Divisional Highways Manager (Lincolnshire County Council) on 01522 782070 for application, specification and construction information.
6. This road is a private road and will not be adopted as a Highway Maintainable at the Public Expense (under the Highways Act 1980) and as such the liability for maintenance rests with the frontagers.

* * * * *

Applicant	Great Gonerby Social Club Great Gonerby Social Club, 8, High Street, Great Gonerby, Grantham, NG318JP
Agent	Mike Sibthorp Planning Logan House, Lime Grove, Grantham, NG319JD
Proposal	Erection of decking
Location	Great Gonerby Social Club, 8, High Street, Great Gonerby, Grantham, NG318JP
App Type	Full Planning Permission
Parish(es)	Great Gonerby

REPORT**Application Category**

This is a minor Application

Reason for Referral to Committee

The application has been referred to committee at the request of the Lead Professional.

The Proposal

The application is for the erection of a decking area to the rear of Great Gonerby Social Club.

The decking will be sited alongside an existing inset patio area to the eastern end of the building.

The decking will be constructed from natural timber and will measure 18.4m x 2.8m, with a floor level being a maximum of 1.4m above the level of the bowling green and level with the existing patio area.

A new doorway is to be formed from the bar area to access the decking. A privacy screen, 2.0m in height is also proposed at the western end.

The application site and its surroundings

The site is located in the centre of the Great Gonerby, to the east of the High Street between Marratts Lane and Long Street. The Great Gonerby Social Club is situated between a public house to the north and residential properties to the south which front onto the High Street. Behind the residential properties and to the south of the site is a bowling green also owned by Great Gonerby Social Club.

Representations Received

Parish Council: No objections.

Environmental Health: No objection to the proposal subject to a condition requiring any heating and lighting associated with the decking area being extinguished at 22:00 hours.

Representations as a result of publicity

The application was advertised in accordance with the adopted Statement of Community Involvement with the closing date for third party objections being 10th July 2009.

As a result of the consultation period 2 letters were received. A summary of the material planning considerations raised were;

1. With reference to the application would you please take into consideration the following points:
 - Noise levels to be kept within a reasonable level
 - Spot lights not to be positioned over the rear garden to our property
 - Smoking pollution

Site History

WK.5816 – Erection of new social club and conversion of existing club to servants living accommodation. Approved 24th June 1970.

WK.7274 – Erection of extension to be used as a food preparation room. Approved 4th October 1973.

S07/0914/37 – Provision of Amenity Decking. Refused 21st August 2007

Applicants submission.

Following the refusal of planning permission (S07/0914), and the dismissal of an enforcement notice appeal and planning appeal relating to an area of decking on the south side of Great Gonerby Social Club, this revised application is being submitted for a relocated and lowered decking area. The modifications reflect discussions with the Planning Officer following the dismissal of the appeal. The revised decking area is relocated away from the neighbouring residential property, 6a High Street, and consequently does not give rise to the issues of impact which were central to the previous appeal decision. The previous decking area subject of the enforcement notice has been removed.

Policy Considerations

Saved Policies of South Kesteven Local Plan

Policy EN 1 of the 1995 adopted South Kesteven Local Plan states that development proposals should, in respect of buildings, reflect the general character of the area through layout, siting, design and materials.

Policy E6 of the 1995 adopted South Kesteven Local Plan states that planning permission will normally be granted for small scale industrial and business development, including improvements and extensions to existing firms and the change of use or adaptation of suitable existing buildings to industry or commerce, where appropriate sites exist within or adjoining the built up areas of villages in the plan area, provided that:

- (i) The scale and nature of the proposed development will not have an adverse impact on the form, character and setting of the village;
- (ii) The development would not cause serious visual intrusion or generate unacceptable traffic, excessive dust, noise, smell or other disturbance to the occupiers of adjoining and nearby properties.

Key Issues

History

The appeal decision concluded that the height of the decking and the proximity to 6a, High Street would result in a considerable degree of intrusion to the occupiers of that property, and some element of noise disturbance. The development was thus considered to conflict with policies E6 (ii) and EN1 of the South Kesteven Local Plan.

Visual Impact

The decking has been reduced in size and is now considered to be of a size which is more sympathetic with the mass of the existing building whilst using materials which visually enhance its appearance.

Impact on neighbouring private residential amenity

The decking area has been lowered by approximately 150mm from its previous height, level with the exiting patio area. The decking area, at its closest point will now be over 9.0m from the rear boundary fence of 6a, High Street, and approximately 21.0m from the rear face of the building.

This increased level of separation from neighbouring properties together with the erection of a wooden screen along the western edge of the decking, will eliminate any adverse levels of overlooking and loss of privacy that were considered to be prevalent on the previous refused application. These factors will also reduce the potential for unacceptable levels of noise and disturbance from users. A condition has been attached ensuring that all lights and heaters are extinguished no later than 22.00 hours.

The increased level of separation will also remove the impact on neighbouring properties in terms of the creation of a dominant and oppressive environment.

Crime and Disorder Implications

It is considered that there are no crime and disorder issues in relation to the proposal.

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 proposed decking will not impact on neighbouring residential amenity in terms of overlooking, loss of privacy or the creation of a dominant and oppressive environment.

A condition has been attached ensuring that any lights and heaters are extinguished no later than 22.00 hours in order to mitigate any noise nuisance to neighbouring properties by discouraging the congregation of groups of people in this area at unreasonable times of night.

The development will not be contrary with the requirements of policies of the adopted Local Plan, with the proposed decking being considered appropriate for the location and conforming to the general use that exists on the site.

The design and materials are considered to enhance the building and not impact adversely on the character of the area.

It is considered therefore that the proposals comply with National Policy Guidance and saved policies of the South Kesteven Local Plan and it is recommended therefore that planning permission be granted.

Summary of Reason(s) for Approval

The proposal is in accordance with local policies as set out in the saved policies E6 (ii) & EN 1 (iii) of the South Kesteven Local Plan. The issues relating to impacts on the character of the area, residential amenity, and noise and disturbance are material considerations but, subject to the conditions attached to this permission, are not sufficient in this case to indicate against the proposal and to outweigh the policies referred to above.

CASE OFFICER RECOMMENDATION: That the development be Approved subject to condition(s):

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. The development shall be built in accordance with the materials detailed within the submitted application forms unless otherwise agreed in writing by the local authority.

Reason - In the interests of the visual amenities of the locality and to ensure a satisfactory development.

3. Any heating and lighting associated with the decking area shall be extinguished no later than 22.00 hours.

Reason - The use of heating and lighting outside these hours would encourage the congregation of groups of people leading to unacceptable levels of disturbance to local residents.

Note(s) to Applicant

1. 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.
2. This permission does not include the provision of the lightweight canopy as indicated on the submitted drawings. The erection of the canopy as indicated will require the submission of a separate planning application.

* * * * *

Applicant	Mr L Ballaam Byre Cottage, Oasby, Grantham, NG32 3NA
Agent	Mr M Kelby, Riverside Design 88, Belton Grove, Grantham, NG31 9HH
Proposal	Extensions and alterations to dwelling and erection of detached double garage/office
Location	Paddock Cottage, Oasby, Grantham, NG323NA
App Type	Full Planning Permission
Parish(es)	Heydour

REPORT**Application Category**

This application is categorised as a householder application.

Reason for Referral to Committee

This application has already been before committee on 2 June 2009. At the committee meeting, the application was deferred for determination by the Lead Professional, after consultation with the Chairman and Vice Chairman, following receipt of representations from English Heritage. This application has been referred to the committee for a second time at the request of the Lead Professional following the receipt of unfavourable comments from English Heritage. This report takes these comments into account as well as an amended Design and Access Statement submitted by the applicant.

The Proposal

The proposal involves extensions and alterations to an 17th century cottage and the erection of a detached double garage with office and store. The extensions to the house include a two storey rear extension (first floor accommodation in roofspace with dormer windows), a single storey lean to side extension and an infill extension to the rear lean to canopy. Alterations are also proposed to the window and door arrangements in the existing house.

The application site and its surroundings

The application site is located in the small village of Oasby within Oasby Conservation Area and has an area of 0.2 ha. The existing dwelling is an unlisted traditional vernacular limestone and pantile cottage which appears to have originally been two cottages. The cottage which is currently vacant, is in a poor state of repair and has in the past been the subject of unsympathetic alterations. The dwelling is located at right angles to the road, in the north western corner of the plot which is level and fairly open. There are several small trees on the plot and a large holly tree in poor condition directly in front of the house. Adjacent to the road, the site is enclosed by a stone boundary wall of approximately 1m in height. The site is surrounded by a mixture of historic and more modern low density residential properties including two listed buildings – Oasby House (grade II) to the south and Oasby Manor (grade II*) to the east. To the far north west of the site there is open countryside.

Site History

- SK.69/75 – Change of use of part of property to post office – approved 27 Feb 1975. This use was discontinued many years ago and the property reverted to use as two dwellings.

The site originally included the plot to the north within its curtilage. The following applications have been made on this plot

- S01/0122 – erection of bungalow – refused – 12 March 2001
- S03/0167 – extension and conversion of barn to dwelling – approved 05 June 2003
- S04/0800 – demolition of barn and erection of dwelling – approved -16 July 2004

Applicant's Submission

The applicant has submitted the following amended Design and Access Statement in response to English Heritage's comments:

The proposal involves the renovation of the existing stone and pantile cottage and the erection of a rear extension and a new garage/office to the front garden area.

Meetings were held at an early stage for the proposed development and the first intentions were to demolish the cottage and rebuild the property as the original design but using as much of the existing materials as possible. The conservation officer was adamant that the original building had to be retained in its present form but accepted that it could be extended in some way. The most important element of the existing building is the front façade as viewed from the approach of the site from the east across the site. This view had to be maintained and the proposed garage was not to impose on this vista. The extension therefore had to be designed for the rear [west] of the cottage and designed carefully to match the original building.

Use: This part of the village is totally residential with properties of varying ages and architectural merits and the proposal would not cause any annoyance to neighbouring properties. The cottage is sited in a large plot and is situated good distances from other properties. The exception to this is to the rear where Byre Cottage is reasonably close but there are no new windows overlooking this property.

Sections 2.16/2.17 of PPG15 refer to the setting of listed buildings in conservation areas. The open area of the garden is important to Paddock Cottage and the surrounding parts of the conservation area but it is felt that the agreed position of the garage with the local authority does not harm the open feel, the views to the cottage or the settings of the surrounding listed buildings.

Amount: The property is subdivided at present into two, but it is now proposed to link them together to make one larger property.

Layout: The proposed layout is for a normal family and a large two storey extension to form a breakfast/kitchen with adjacent utility area and master bedroom and en suite to the first floor.

Scale: The existing cottage suffers from neglect and the results of very poor door and dormer window alterations over the years. The stone has been patched and pointed with cement and concrete lintels over the openings. It is proposed to totally rebuild the gable ends, reusing the existing stone and constructing pitched roof dormers to match the one remaining at the front. The stone will be repointed and natural stone lintels introduced over the openings. All new build will be natural matching stone, the size and coursing as per the original dwelling. The mortar mix will be using hydraulic lime 3.5 NHL mix and sand typically used in listed buildings. The roof will be natural clay pantiles to match the existing. We were advised by the conservation officer to site the extension to the rear as the line of the front façade needs to remain unaltered.

The proposed garage/office will be built as the rear extension and sited behind the existing yew trees to minimise the impact on the surrounding properties and the open views of the site. The proposed garage is a single storey building with a roof pitch to match the cottage. This enables an office to be accommodated in the roof space.

Landscaping: The site has a large garden area with a few trees worthy of retention. This area will be mainly laid to lawn with some border and shrub planting and patio area close to the cottage.

Appearance: see scale above.

Representations Received

The highways authority has no observations to make

SK Arboriculturalist has stated that the holly tree is in poor structural condition and is liable to failure and that none of the trees within the site are worthy of inclusion in a tree preservation order. He has also stated that the proposed garage / office at Paddock Cottage is far enough away from the Cedar tree at Oasby House not to impact upon it.

The tree has sufficient size and mass to make it easily visible from the road and this will not be compromised by the garage / office.

SK Archaeologist has stated that application does not affect any known archaeological site and that no archaeological condition or intervention is required.

Heydour Parish Council objected to the original plans on the following basis:

- 1. "The house – We would prefer the windows were not pvc and that the house was constructed of random rubble throughout"*
- 2. The garage etc – we accept the house has to have a garage but we are concerned at its positioning, size and height. The positioning spoils the current vista down the road of this green site in a conservation area"*

Heydour Parish Council submitted the following comments in response to the amended plans:

"The new position of the garage is noted but the councillors consider that the garage is too tall and could be converted into another house on the site"

The Campaign to Protect Rural England has submitted the following comments:

"With reference to the above mentioned planning application, CPRE is opposed to this development. It is considered that the scale and positioning of the proposals is out of scale with and ill related to the adjacent development. In our opinion, the building would be incompatible with the character of this part of the village and to approve it would conflict with the principles underlying the designation of the Conservation area in which it would be located".

English Heritage submitted the following comments on 23 June 2009:

The Design and Access Statement submitted with the application is inadequate as it does not demonstrate how the proposed development would preserve or enhance the character and appearance of the conservation area or preserve the setting of the listed buildings that lie at its core.

Our assessment is that the proposed new development would harm the conservation area and the setting of the listed buildings as the building is inappropriate in terms of

setting, scale and design.

English Heritage Advice

Might I also draw your attention to the statutory requirements that are relevant to this application?

Firstly, there is a duty to have special regard to the desirability of preserving the setting of listed buildings (section 66 of the 1990 Act) and, secondly, there is a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas (section 72 of the 1990 Act). These statutory requirements mean that the objective of preservation or enhancement must be given high priority.

In the context of these requirements the applicant's design and access statement is inadequate as it makes no reference whatsoever to the historic environment. There is no assessment of the importance of Paddock Cottage although it is evidently a 17th century house that makes a positive contribution to the character and appearance of the conservation area. Nor is there any analysis of the history and significance of the site or an appraisal of the character and appearance of the conservation area and the contribution that the Paddock Cottage site makes to the area. The applicant and the agent simply do not address the conservation tests of preservation or enhancement and the need to have special regard to the setting of listed buildings. There is no reference to national and local policy guidance (notably PPG 15) on the repair and development of historic sites and the submitted documents lack the detail required for the proper preservation of an historic place.

Even from the limited information available, however, it is evident that this part of Oasby - Oasby Manor, Folly Cottage, Oasby Manor Farmhouse, Oasby House and Paddock Cottage - represents the historic core of the village. Not only is Paddock Cottage of local interest (despite the fact that your authority does not prepare a Local List) but also the whole site is of historic and archaeological interest. There are earthworks and the historic map evidence would suggest a possible association with either the Manor or Oasby House, or both. In the absence of any analysis it would appear to have been open space for a considerable period of time. Whatever the history the open space that surrounds Paddock Cottage is an important part of the conservation area and the setting of the listed buildings. This is a feature that should be preserved for its own sake and because it forms the setting of the Manor and Oasby House.

The proposed works constitute two elements. With regard to the repair and extension of the Cottage attention needs to be paid to the details. Windows made of UPVC are not appropriate for historic buildings including unlisted buildings in conservation areas and there are no details of stone type and size, coursing, finish, mortar mix etc.

The proposed outbuilding, however, cannot be seen to preserve or enhance the setting of the historic buildings and the character and appearance of the conservation area. It is of an inappropriate scale and its design and its location would interfere with important views - an important element of the setting and character and appearance - and the open character of the area as a whole. English Heritage believes that as the development would not preserve the setting of the listed buildings and not preserve the character and appearance of the conservation area this application should be refused.

It might be possible to erect some form of ancillary building but this should be as

unobtrusive as possible. The best site would be close to the boundary with Oasby Lodge but importantly the structure should be no higher than a single storey and no wider than the width of two normal garage doors. In order to minimise the impact on the historic buildings consideration should be given to the use of a hipped roof and the whole structure could have the appearance of a two bay 'cart shed' constructed of appropriate materials - stone, brick and weatherboarding under a clay tile roof.

Recommendation

English Heritage is unable to support this proposal until all of the issues raised above have been addressed. In the absence of justification we believe that this application should be refused.

We would welcome the opportunity of advising further. Please consult us again if any additional information or amendments are submitted. If, notwithstanding our advice, you propose to approve the scheme in its present form, please advise us of the date of the committee and send us a copy of your report at the earliest opportunity.

Representations as a result of publicity

8 objections were received for the original plans. 9 further objections were received for the amended plans. The reasons for objections are summarised below:

- Siting, scale and height of detached garage
- Proposed garage out of character
- Garage could be converted to extra dwelling
- Impact on character of the conservation area
- Impact on adjacent listed buildings
- Use of red brick on lean to extension inappropriate
- Upvc windows inappropriate
- Loss of open green space
- Visually intrusive
- Break up of sightlines
- Garage should be closer to house
- No need for garage
- Loss of light
- Noise and disturbance
- Overlooking/loss of privacy
- Office could be used for commercial purposes
- No need for garage
- Plot has already been split
- Oasby is an unsustainable village
- Other properties have outbuildings directly adjacent

Policy Considerations

National Policy Advice

Planning Policy Statement 1 (PPS1): Sustainable Development

Planning Policy Statement 7 (PPS7): Sustainable Development in Rural Areas

Planning Policy Guidance 15 (PPG15): Planning and the Historic Environment

East Midlands Regional Plan

Policy 26: Protecting and Enhancing the Region's Natural and Cultural Heritage

Policy 27: Regional Priorities for the Historic Environment

Saved Policies of the South Kesteven Local Plan

Policy EN1 (criteria iii, iv, v, vi): Protection and Enhancement of the Environment

Policy H7d (criteria i, iii): Housing

Key Issues

Impact on the host dwelling

Impact on the character of the conservation area

Impact on the setting of nearby listed buildings

Impact on the residential amenities of occupiers of neighbouring properties

Officer Evaluation

The site is within Oasby conservation area and is adjacent to two listed buildings. PPG15 and policies 26 and 27 of the East Midlands Regional Plan are concerned with the impact of development on historic environment and the reuse of historic buildings.

PPS1 and PPS7 stress the importance of high quality design which is well integrated into the existing built form, and preserves or enhances the character of its environment. Local Plan policies H7 and EN1 are also concerned with the impact of development on its surroundings.

Extensions and alterations to dwelling

It is considered that by virtue of the design, scale and materials to be used, the extensions are appropriate and are in keeping with the historic character of both the cottage and the conservation area and would not be detrimental to the setting of nearby listed buildings.

The appearance will be greatly improved by the replacement of the current unsympathetic fenestration of the cottage with more traditional style windows, and dormers to match the existing dormer on the eastern part of the house. Notwithstanding English Heritage's view that UPVC windows are inappropriate for historic buildings including unlisted buildings within conservation areas, the proposed UPVC windows are not considered to be out of keeping as they will be cream coloured and of the casement type which is appropriate for this type of cottage. It is noted that the adjacent property to the north has UPVC windows as do several other nearby properties within the conservation area. Furthermore, because the property is unlisted and has not had permitted development rights removed, under the Town and Country Planning (General Permitted Development) Order 1995, no consent is required to change the windows in the existing house.

Concerns have been raised about the use of reclaimed red bricks on the lean to side extension. However this is considered to be appropriate as it would match the existing rear lean to extension

and is a very small part of the building. Furthermore, small brick extensions and outbuildings are a relatively common feature in predominantly stone built villages in this part of Lincolnshire.

English Heritage have commented that no details have been submitted for external materials. The applicant has provided samples of limestone, reclaimed brick and clay pantiles as well as specifications for lime mortar mix to be used in their amended Design and Access Statement submitted 15 July 2009. These materials and details are considered to be acceptable and appropriate for the conservation area context.

Detached Garage

One of the principal concerns raised is the impact of the detached garage, and in particular its size, height and position, on the character of the conservation area which is fairly open at this point. The applicants have submitted amended plans showing the garage set 3 metres further to the west and 2 metres to the south. The doors have also been amended to a more traditional design. In terms of design, it is considered that the detached double garage, as shown in the amended plans, reflects the simple vernacular design of the cottage and is in keeping with the built form of the surrounding area.

English Heritage have stated that the garden should be left open for its own sake as it forms the setting for Oasby Manor and Oasby House. The character of Oasby conservation area is defined by traditional vernacular, one and two storey buildings built predominantly of limestone and clay pantile. At this point a characteristic of the conservation is its fairly open feel. However, the site is a dwelling and its associated domestic curtilage rather than public open space or open countryside. PPG15 advises that whilst preservation or enhancement of the character of conservation areas is a major consideration, this cannot realistically take the form of preventing all new development.

It is considered that the proposed garage has the appearance of a traditional style outbuilding incorporating a garage and is considered to be of an appropriate scale and design which would preserve the character of the built form of the conservation area without unduly compromising the open and well spaced out layout. It is considered that the garage, although fairly large, is relatively small in relation to the site as a whole and set back sufficiently far from the road to preserve the fairly open character of this part of the conservation area. Therefore it is not considered to be unduly prominent or visually intrusive.

Furthermore, the ground level would be lowered by approximately 500mm to the level of the driveway. This together with trees immediately to the south of the garage would further help to reduce the impact. When viewed from the north, the garage would appear relatively small against the backdrop of the branch spread of a large cedar tree and would be set sufficiently far back to not intrude into the setting of grade II listed Oasby House. The relatively small size and good separation distance would ensure that there would also be no detrimental impact on to the setting of the grade II* listed Oasby Manor.

English Heritage have stated that the open site is of archaeological interest and forms the historic core of the village, possibly being historically associated with either Oasby House or Oasby Manor. Notwithstanding this view, the SK Archaeologist has not identified this site as being of archaeological interest and furthermore, from historic maps, the main built up part of the village appears to have been centred around the Manor House, particularly to the east, this particular site being on the far west of the settlement.

Comments have been received suggesting that the garage block could be converted into a dwelling at some point in the future. The current application is for a garage block to be used for domestic purposes in connection with Paddock cottage only. A separate planning application would be required for change of use to an independent dwelling and any future application would be judged according to its own merits.

Neighbours amenities

There are no windows which would look directly onto neighbouring properties ensuring that there will be no loss of privacy or overlooking. There is sufficient separation distance (Oasby House – 20m, Oasby Lodge – 14m, Byre Cottage - 11m and Oasby Manor – 30m) to ensure no loss of light or overbearing impact. Concerns have been raised about possible noise and disturbance from the garage/workshop. A condition is proposed to limit the use of this building to domestic purposes only and ensure no commercial activity takes place. This together with the separation distances is considered sufficient to ensure there will be no unacceptable increase in noise and disturbance. Taking all the above into account, it is therefore considered that the proposed development would not be detrimental to the residential amenities of the occupiers of adjacent properties.

Impact on trees in the conservation area

The SK Arboriculturalist has indicated that there are no trees within the site that are worthy of inclusion in a tree preservation order. The large holly tree in front of the cottage has been found to be in poor structural condition and liable to failure. It is therefore considered that the removal of this tree as part of the development would be acceptable and would not be detrimental to the character of the conservation area. It has been suggested by various letters of objection that the proposed garage would be detrimental to the setting of the large cedar tree in front of Oasby House. This tree does not benefit from a tree preservation order and was not noted as a tree of visual interest when the conservation area was designated in 1982. It is however protected to a certain extent by the conservation area. The branch spread of this tree is considerably higher than the garage as well as the neighbouring Oasby House, and there is considered to be adequate separation distance. It is therefore considered that would retain its dominance and that there would be no detrimental impact on the contribution of the tree to the character of the conservation area.

Other Concerns Raised

Concerns have been raised about the following issues:

- A garage should not be permitted because there is no need it– the Local Planning Authority has to determine planning applications as they are submitted. The issue of whether the applicant needs an office/workshop or double garage is not a material planning consideration and has not been taken into account when determining this application.
- Oasby is an unsustainable village and no development is allowed – this is applicable to new dwellings in the Interim Housing Policy and does not apply to householder developments such as extensions and outbuildings
- Plot is already split – this proposal does not include the subdivision of the plot
- Proposal fails to consider the precedent set by adjacent listed buildings of having outbuildings close to host dwelling – within Oasby and the wider local area there is no single arrangement of dwellings and associated outbuildings.

Crime and Disorder Implications

The application will not raise any significant issues.

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 that act will be breached.

Summary of Reason(s) for Approval

It is considered that by virtue of the design, scale and materials to be used, the proposed extensions, alterations and detached garage block would be in keeping with the host dwelling and the conservation area and would not be detrimental to the setting of nearby listed buildings.

Concerns have been raised about the position, size and height of the proposed detached garage and its impact on the open character of the conservation area and setting of nearby listed buildings. It is considered that the amended plans received 21 April 2009 address these issues by setting the garage further back from the road. The garage is relatively small in relation to the plot size and by virtue of its traditional design, scale, materials to be used and amended position, it is considered that the open character of the conservation area and the setting of adjacent listed buildings would be preserved.

Concerns have been raised about potential future conversion of the garage into an independent dwelling. A separate planning application would be needed for this and any future application would be judged according to its own merits.

There are no windows proposed which look directly onto neighbouring properties and there are sufficient separation distances to ensure that there will be no loss of light, overbearing impact or unacceptable increase in noise and disturbance. It is therefore considered that there would be no detrimental impact on the residential amenities of the occupiers of neighbouring properties.

The issue of the need for a garage on the site is not a material planning consideration and has not been taken into account when making this recommendation.

The proposal is in accordance with national planning policy given in PPS1, PPS7 and PPG15, policies 26 and 27 of the East Midlands Regional Plan and policies EN1 (criteria iii, iv, v, vi) and H7d (criteria I, iii) of the saved policies of the South Kesteven Local Plan. There are no material considerations that indicate otherwise although conditions have been attached.

CASE OFFICER RECOMMENDATION: That the development be Approved subject to condition(s):

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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), no window, dormer window or rooflight other than those expressly authorised by this permission shall be constructed without planning permission having first been obtained from the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of nearby properties in accordance with Saved Policies H6 and H7 of the adopted South Kesteven Local Plan.

3. The development shall be built in accordance with the samples of materials submitted 01 June 2009, the details specified in the emails received 02 June 2009 and 05 June 2009, and the amended Design and Access statement received 15 July 2009 unless otherwise

agreed in writing with the local planning authority.

Reason: To ensure a satisfactory appearance to the development and in accordance with PPG15 and Saved Policy EN1 of the South Kesteven Local Plan.

4. The garage block shall be used for a purpose incidental to the enjoyment of the dwellinghouse as such and shall not be used for commercial purposes.

Reason: The building is part of a residential curtilage in a residential area where non-residential use would adversely affect the amenities of the occupiers of nearby residential properties.

5. This permission relates solely to the application as amended by the drawings received on 21 April 2009

Reason: The earlier submitted drawings were unacceptable because the proposal would have been detrimental to the character of the conservation area.

Note(s) to Applicant

1. You are advised that the application site falls within an area which requires protection from Radon. You are advised to contact the District Council's Building Control section (telephone 01476 406187) to ascertain the level of protection required, and whether a geological assessment is necessary.

* * * * *

Applicant	Mr Roger Hill, Roger Hill Design Consultants Ltd 33, Mill Drove, Bourne, PE10 0XP
Agent	
Proposal	Redevelopment of offices and land to provide ten apartments & ground floor office space
Location	1 & 1A, West Street, Bourne, PE10 9NB
App Type	Major Full (Residential)
Parish(es)	Bourne

REPORT**Application Category**

This application is categorised as a major application.

Reason for Referral to Committee

The application has been referred to Committee because it is a major application.

The Proposal

This is a full application for the redevelopment of 1&1A West Street Bourne to provide 10 apartments and office accommodation. The proposal also includes a two-storey extension to the rear of the existing building. The proposed development would result in part of the existing ground floor office accommodation being retained with some internal alteration. The remaining ground floor office and storage areas would be converted to provide four flats. The existing 1st floor office and storage accommodation would be converted to provide accommodation for 5 flats. A further flat would also be provided at second floor level in the existing building.

In order to accommodate the additional flats a two storey 20m X 5m extension is proposed towards the rear of the building.

Amended plans have been submitted showing a revised access and parking arrangements. The amended plans show that the access to the site would be located in the current position but gated with a surrounding boundary wall in order to provide a private parking and amenity area for the development.

The application site and its surroundings

The application site is located within the centre of Bourne. The existing building is a grade II listed building located within the Conservation Area. The principal elevation of the

building fronts on to West Street. The main part of the building is used as offices on all floors. The rear of the building is used for storage and is not in particularly good condition.

The owners of the building have a legal right of way across the Council owned car park to the south of the application site. The existing and proposed vehicular access makes use of this legal right of way.

The site has an area of approximately 0.08 hectares. The northern elevation of 1 West Street fronts directly on to West Street. The eastern site boundary is formed by an approximately 2.5m high boundary wall and the rear of buildings fronting on to South Street. The western elevation of the existing building forms the western site boundary.

Site History

S.12.1372.75.2478 – In January 1976 planning permission was refused for the change of use of the rear of the building for storage and joinery & upholstery workshop.

SK.12/0183/90 – In March 1990 planning permission was granted to use the building as an estate agents office.

S08/1300 – In February 2009 an application for a similar proposal was withdrawn. This current application is a resubmission of the withdrawn scheme.

S08/LB/7086 – In February 2009 a listed building consent application was withdrawn.

S09/0745 – This application deals with the listed building works required in relation to this current application. The application is reported separately in this committee agenda.

Representations Received

Planning Policy: no objections to the proposed development.

Partnership & Project Officer Housing Solutions: Confirmed that there is no affordable housing requirement for this redevelopment as the proposed number of residential units is below the threshold of 15 units.

Consultant Architect: No objections

Lincolnshire County Council (Education): The development would produce 0.27 primary and 0.3 secondary pupils, therefore we would not request an education contribution at the present time in this instance.

Anglian Water: No objections to the proposed development.

Local Highway Authority: No objections subject to conditions

Community Archaeologist: No known issues

Bourne Town Council: Objects to the proposed development on the grounds of lack of parking and the development creating an oppressive and dominant environment.

Primary Care Trust: No comments received.

Representations as a result of publicity

The application has been advertised in accordance with the adopted Statement of Community Involvement. No letters of objection have been received from interested parties.

Policy Considerations

National Planning Policy:

PPS1 – Delivering Sustainable Development
PPS3 – Housing
PPG13 – Transport
PPG15 – Planning and the Historic Environment
PPG16 – Archaeology and Planning

Development Plan:

East Midlands Regional Plan (March 2009)

Policy 1: Core Objectives
Policy 2: Better Design
Policy 3: Distribution of new development
Policy 26: Protection and enhancing the region's natural and cultural heritage
Policy 27: Regional priorities for the historic environment

Saved Policies of the South Kesteven Local Plan

Policy H6: Residential Development
Policy E3: Employment Land in Bourne
Policy E11: Safeguarding of Industrial Sites
Policy EN1: Protection and Enhancement of the Environment
Policy C2: Archaeology

Key Issues

The key issues in the consideration of this case are:

Impact on the grade II listed building.
Impact on the conservation area.
The impact the development has on the visual amenity of the surrounding area.
The impact on the residential amenity of adjacent properties and flats.

The impact on the operation of existing businesses.
The access and parking arrangements

Officer Evaluation

Scale and Layout

The proposed development will make use of the existing building and its rear projection. A further extension measuring approximately 20m long is proposed to extend the existing rear section of the building. It is considered that the proposed extension will be in scale and character with the host building and will respect and enhance both the setting and appearance of the listed building and conservation area.

The ridge height of the proposed extension is set just below that of the existing building at a height of approximately 6.4m. This ensures that the built form of the building steps down progressively away from the main 3 storey element of the building which fronts West Street.

Overlooking / Loss of Privacy

This development proposes the conversion of the existing building in order to provide accommodation both within the main 3 storey element of the building and in the two storey rear projection. The existing building is used for a mixture of office accommodation and storage. Given the existing window arrangement there is already an element of overlooking of the properties and businesses on South Street. There is however a 2.5m high boundary wall between the site and the properties on South Street which minimises any overlooking.

The proposed development would make use of the existing openings and high level roof lights. Although there may be some potential overlooking from the existing windows it is considered that this will not be any worse than the existing situation. The windows on the eastern elevation of the proposed extension to the building have been designed to ensure that there would be no direct overlooking of the properties on West Street. It is considered that the applicants have given significant consideration to the issue of privacy and that the proposed design would not result any significant increase in overlooking / loss of privacy.

Loss of Light / Overshadowing

The proposed site layout and scale of the buildings will ensure that the development will not result in any significant overshadowing or loss of light to any of the existing buildings adjacent to the site.

Access / Parking

The proposed development would provide 10 parking spaces located to the rear of the property. The parking area is accessed through the Council owned car park. The applicants have demonstrated that they have a legal right of access across the car park and the Council's Assets and Facilities and Legal Teams have confirmed this to be correct.

The local highway authority has been consulted and raised no objections to the proposed access and parking arrangements. It is therefore considered that subject to the inclusion of the suggested conditions to ensure that the parking area is maintained in perpetuity the proposed development would not be detrimental to highway safety.

The site is also located within the town centre where residents would have access to good public transport links and access to local services and facilities. This would therefore be a sustainable form of development where residents would not need to be heavily dependant on the private motor vehicle.

Conclusion

The proposed development complies with the relevant policies of the local development plan and will ensure that the listed building and conservation area are preserved and enhanced. The development will make better use of an underutilised building and will help to ensure its long term future. The proposed development is accordingly recommended for approval.

Crime and Disorder Implications

This application raises no significant 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 that act will be breached.

SUMMARY OF REASON(S) FOR APPROVAL

The proposal is in accordance with national and local policies as set out in Planning Policy Guidance notes 13, 15 and 16, Planning Policy Statements 1,3, policies1, 2, 3, 26 and 27 of the East Midlands Regional Plan and policies H6, EN1, E3, E11 and C2 of the Saved Policies of the South Kesteven Local Plan. The issues relating to design, layout, access, residential amenity and impact on listed building and conservation area are material considerations but, subject to the condition(s) attached to this permission, are not sufficient in this case to indicate against the proposal and to outweigh the policies referred to above.

CASE OFFICER RECOMMENDATION: That the development be Approved subject to condition(s):

1. This permission relates solely to the application as amended by SSM.2008.11.FE Rev B, SSM.2008.11.RS Rev B, SSM.2008.11.DR Rev B, SSM.2008.11.PGF Rev B, SSM.2008.11.EL Rev B and SSM.2008.11.PUF Rev B received on 6 May 2009 and 4 June 2009.

Reason: The earlier submitted drawings were unacceptable because the proposed parking arrangement and access details were not accurate.

2. 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.

3. No development shall take place until samples of the materials (including colour of render, paintwork or colourwash) to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and in accordance with Saved Policy EN1 of the South Kesteven Local Plan.

4. The rooflights in the approved development shall be of 'conservation style' fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

Reason: To ensure a satisfactory appearance to the development and in accordance with Saved Policy EN1 of the South Kesteven Local Plan.

5. No works shall take place until full details of the all proposed joinery works including 1:20 sample elevations and 1:1 joinery profiles have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

Reason: As insufficient information has been submitted the condition is imposed to ensure the satisfactory preservation of the building.

6. Before the dwelling(s) is/are occupied, the access and turning space shall be completed in accordance with the approved plan, drawing number SSM.2008.11.PGF Revision B dated June 2009, and retained for that use thereafter.

Reason: To ensure safe access to the site and the building in the interests of residential amenity, convenience and safety and to allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety.

7. The arrangements shown on the approved plan SSM.2008.11 PGF Rev B dated June 2009 for the parking/turning/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 West Street and to allow vehicles to enter and leave the premises in a forward gear in the interests of highway and general safety.

8. No development shall take place before the detailed design of the arrangements for surface water drainage has been agreed in writing by the Local Planning Authority and no building shall be occupied before it is connected to the agreed drainage system.

Reason: To ensure that surface water run-off from the development will not adversely affect, by reason of flooding, the safety, amenity and commerce of the residents of the site.

Note(s) to Applicant

1. The applicants attention is drawn to the attached comments from Anglian Water.

* * * * *

Applicant	Mr Roger Hill, Roger Hill Design Consultants Ltd 33, Mill Drove, Bourne, PE10 0XP
Agent	
Proposal	Extension and alteration to listed building
Location	1 & 1A, West Street, Bourne, PE10 9NB
App Type	Listed Building Consent
Parish(es)	Bourne

REPORT**Application Category**

This application is categorised as other development.

Reason for Referral to Committee

The application has been referred to Committee because it is associated with a major planning application also reported in the agenda.

The Proposal

This is an application for listed building consent submitted in connection with a planning application for the redevelopment of 1&1A West Street Bourne to provide 10 apartments and office accommodation. The proposal works include internal and external alterations including a two-storey extension to the rear of the existing building. The proposed development would result in part of the existing ground floor office accommodation being retained with some internal alteration involving minor alteration to internal walls and alterations to a staircase. The remaining ground floor office and storage areas would be converted to provide four flats. The existing 1st floor office and storage accommodation would be converted to provide accommodation for 5 flats. A further flat would also be provided at second floor level in the existing building.

In order to accommodate the additional flats a two storey 20m X 5m extension is proposed towards the rear of the building.

Amended plans have been submitted showing a revised access and parking arrangements. The amended plans show that the access to the site would be located in the current position but gated with a surrounding boundary wall in order to provide a private parking and amenity area for the development.

The application site and its surroundings

The application site is located within the centre of Bourne. The existing building is a grade II listed building located within the Conservation Area. The principal elevation of the building fronts on to West Street. The main part of the building is used as offices on all floors. The rear of the building is used for storage and is not in particularly good condition.

The owners of the building have a legal right of way across the Council owned car park to the south of the application site. The existing and proposed vehicular access makes use of this legal right of way.

The site has an area of approximately 0.08 hectares. The northern elevation of 1 West Street fronts directly on to West Street. The eastern site boundary is formed by an approximately 2.5m high boundary wall and the rear of buildings fronting on to South Street. The western elevation of the existing building forms the western site boundary.

Site History

S.12.1372.75.2478 – In January 1976 planning permission was refused for the change of use of the rear of the building for storage and joinery & upholstery workshop.

SK.12/0183/90 – In March 1990 planning permission was granted to use the building as an estate agents office.

S08/1300 – In February 2009 an application for a similar proposal was withdrawn. This current application is a resubmission of the withdrawn scheme.

S08/LB/7086 – In February 2009 a listed building consent application was withdrawn.

S09/0744 – This application deals with the planning permission required in relation to this current application. The application is reported separately in this committee agenda.

Representations Received

Consultant Architect: No objections to the proposed works

Community Archaeologist: No known issues

Bourne Town Council: Objects to the proposed development on the grounds that it would have a detrimental impact on the conservation area and listed building.

Representations as a result of publicity

The application has been advertised in accordance with the adopted Statement of Community Involvement. No letters of objection have been received from interested parties.

Policy Considerations

National Planning Policy:

PPG15 – Planning and the Historic Environment

Development Plan:

East Midlands Regional Plan (March 2009)

Policy 2: Better Design

Policy 26: Protection and enhancing the region's natural and cultural heritage

Policy 27: Regional priorities for the historic environment

Saved Policies of the South Kesteven Local Plan

Policy EN1: Protection and Enhancement of the Environment

Key Issues

The key issues in the consideration of this case are considered to be:

Impact on the historic character and setting of the existing grade II listed building.

Officer Evaluation

Scale and Layout

The proposed works will make use of the existing building and its rear projection. A further 20m long extension is also proposed to extend the rear section of the building. It is considered that the proposed extension will be in scale and character with the host building and will respect and enhance both the setting and appearance of the listed building.

The ridge height of the proposed extension is set just below that of the existing building at a height of approximately 6.4m this again ensures that the built form of the building steps down progressively away from the main 3 storey element of the building which fronts West Street.

The proposed internal and external works will preserve and enhance the overall character and appearance of the grade II listed building. The Council's Consultant Architect has raised no objections to the proposed works it is therefore considered to be acceptable.

Conclusion

The proposed works comply with the relevant policies of the local development plan and will ensure that the listed building is preserved and enhanced. The works will make better use of an underutilised building and will help to ensure its long term future. The proposed works are accordingly recommended for approval.

Crime and Disorder Implications

This application raises no significant 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 that act will be breached.

SUMMARY OF REASON(S) FOR APPROVAL

The proposal is in accordance with national and local policies as set out in Planning Policy Guidance note 15 policies 2, 26 and 27 of the East Midlands Regional Plan and policy EN1 of the Saved Policies of the South Kesteven Local Plan. It is considered that the proposed works respect the special character and appearance of the grade II listed building and subject to the inclusion of the attached condition(s) there are no other material considerations which would indicate against the acceptance of the proposed works.

CASE OFFICER RECOMMENDATION: That the development be Approved subject to condition(s):

1. The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.
2. Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
3. No works shall take place until samples of the materials (including colour of render, paintwork or colourwash) to be used in the construction of the external surfaces of the works hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the works and in accordance with Saved Policy EN1 of the South Kesteven Local Plan.

4. The rooflights in the approved development shall be of 'conservation style' fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

Reason: To ensure a satisfactory appearance to the development and in accordance with Saved Policy EN1 of the South Kesteven Local Plan.

5. No works shall take place until full details of the all proposed joinery works including 1:20 sample elevations and 1:1 joinery profiles have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

Reason: As insufficient information has been submitted the condition is imposed to ensure the satisfactory preservation of the building.

6. This permission relates solely to the application as amended by SSM.2008.11.FE Rev B, SSM.2008.11.RS Rev B, SSM.2008.11.DR Rev B, SSM.2008.11.PGF Rev B, SSM.2008.11.EL Rev B and SSM.2008.11.PUF Rev B received on 6 May 2009 and 4 June 2009

Reason: The earlier submitted drawings were unacceptable because the proposed parking arrangement and access details were not accurate.

* * * * *

Applicant	Mr Christopher Duggan, Eden Business (Grantham) Ltd 6, Market Place, Grantham, Grantham, Lincolnshire, NG31 6LJ
Agent	Mike Sibthorp Planning Logan House, Lime Grove, Grantham, NG319JD
Proposal	Erection of four dwellings within curtilage of existing dwelling
Location	11, School Lane, Colsterworth, Grantham, NG33 5NW
App Type	Full Planning Permission
Parish(es)	Colsterworth

REPORT**Application Category**

This application is categorised as a minor development.

Reason for Referral to Committee

The application has been referred to Committee because it is considered to be locally significant.

The Proposal

This is a full application for the erection of four dwellings within the curtilage of The Limes, 11 School Lane Colsterworth. The proposed development would result in four dwellings being constructed around the existing property which would be retained within the overall scheme.

The proposal includes the erection of 4 x two storey dwellings however the dwelling on plot 3 is designed such that the western part of the building would have a single storey appearance with a ridge height of approximately 6m in order to minimise the impact on the adjacent property 15 School Lane.

Access to the proposed dwellings is via a looped private driveway off School Lane. The eastern access is located at the existing point of access into the site, the access would then return onto School Lane at the western end of the sites frontage.

The application site and its surroundings

The application site is located towards the western edge of the built framework of Colsterworth on School Lane. School Lane is a predominantly residential street running westward from High Street. The properties along School Lane are characterised by a mix of building forms ranging from traditional vernacular properties towards the eastern end, to more modern housing developments towards the western end of School Lane.

There are approximately 10 properties at the western end of School Lane in the area directly adjacent to the application site. These properties comprise a row of modern detached two storey properties located directly to the north of the application site. There are also a number of more traditional vernacular properties including The Limes which is located within the application site boundary. The site is bordered to the south by open agricultural land.

The application site is located towards the bottom of the river valley and is particularly prominent when viewed from the rising ground to the east. The site can be seen from vantage points along High Street.

The application site comprises the curtilage of The Limes a large detached dwelling set in open grounds. The dwelling is of a traditional red brick construction and is located centrally within the site. The sites topography is such the ground rises east to west with the western end of the site approximately 6m higher than the eastern end.

Site History

S08/1281 – This application related to a similar development to that currently being proposed (erection of four dwellings). The application was withdrawn in January 2009 following officer concerns about the proposed layout and impact on adjacent properties. This current application is a resubmission which seeks to address these concerns.

Representations Received

Environment Agency:

The comments of the Environment Agency are still awaited and will be reported in the Late Background Papers document.

Local Highway Authority:

No objections subject to conditions relating to the provision of turning space in accordance with submitted plans and surface water drainage details being provided.

Community Archaeologist: No objections to the proposed development.

Colsterworth & District Parish Council:

“The above revised submission of S08/1281/Full does not address the concerns raised previously by the Parish Council. This Parish Council remains not in favour of the above planning application.

South Kesteven Core Strategy Submission Version January 2009-06-04 H1 Residential Development “new housing development in South Kesteven during the period 2001 – 2026 should be planned and phased to deliver the minimum level of housing development required by the Regional Plan” The villages of Colsterworth and Woolsthorpe by Colsterworth already have their share of the SKDC target build for 2001 – 2026. The

infrastructure of this Local Service Centre is already under extreme pressure with the new build already in progress. There is no requirement for further housing development or ad-hoc build in this community.

This development would be out of context for this area and would not be considered a suitable brownfield site under PPS3. The Local Service Centre has extremely limited amenities. The site does not relate satisfactorily to adjoining development and would overpower the adjoining houses. The development of the old industrial site by David Wilson Homes to the north of School Lane cannot conveniently be used as justification for development of School Lane. The present building and its surroundings have been an iconic landmark for a century which would be destroyed by this speculative development.

The revised Proposed Site Layout plan dated March 2009, drawing number 1397/4C, shows a new access road to adjacent fields. This is highly suspicious and suggests that at some stage a further building application would be made to develop the entire area. We would ask SKDC Development services to take this into consideration and investigate the motive behind this.

Design and Access Statements

Point 5.17 "There will be no adverse effects upon the community". This is a sweeping statement and clearly any form of development will have adverse affects.

Local residents will be significantly affected by the interruption of previously uninhibited open aspect across fields along the Witham valley.

Increased vehicle traffic along School Lane joining an already congested High Street.

Point 5.19 "Provision of satisfactory access"

School Lane is not a fully adopted access route. The proposed development is to the west of the River Witham where LCC Highways responsibility ends.

There is no provision of pavements for pedestrians on this end of School Lane.

Public footpath No.19 (Jitty) – access onto School Lane is directly onto the unadopted road. Increased vehicle movements will add to the danger for pedestrians and in particular children.

There is no provision for street lighting

Policy EN1

"improvement of underused land – proposal is on previously land". Incorrect. Land forms part of an attractive and spacious garden. Land has not been previously developed.

Accessibility_H7 (iii) criteria not satisfied. We would recommend a site visit by the Senior Highways Officer to view the proposed access. This also applies to Points 7.3, 7.4.

Point 6.1

The site does NOT relate satisfactorily with adjoining developments and will NOT enhance the setting of the settlement. On the contrary it will overshadow the properties on the northern side of School Lane and be oppressive and physically obtrusive.

Point 8.1 Incorrect. This development would be out of context for this area.

Point 8.2 Incorrect. This land was previously used as a garden with the lower section being part of the flood plain.

Flood Risk

The area has twice in the last ten years reached levels higher than the once in a hundred year level.

Colsterworth does not have the infrastructure or the facilities to cater for the number of new developments coming before planning at the present time. The Colsterworth and District Village Plan showed a majority of parishioners did not want any further development. The village plan/design statement was submitted to SKDC in 2007 and should be taken into consideration.”

Representations as a result of publicity

The application has been advertised in accordance with the adopted Statement of Community Involvement. 20 letters of representation have been received from local interested parties. The comments can be summarised as follows:

- Concerns relating to highway safety, manoeuvring and increased traffic movements, in particular at the junction of School Lane and High Street where visibility is already poor.
- Concerns re parking facilities.
- Noise and disturbance in quite countryside location.
- Proposed dwellings would be out of scale and character.
- Proposed dwellings would have a detrimental dominating impact on this countryside location.
- Similar application refused 18 months ago on nearby site acceptance of this proposal would be inconsistent.
- Concerns that the location of the proposed access would have an adverse impact on the users of the adjacent public footpath due to highway safety issues.
- Concerns at increase in housing numbers in the village especially given adjacent David Wilson development and the ability of local facilities to cope with additional demand.
- Concerns re loss of property value.
- Concerns re loss of privacy.
- Loss of views.
- Loss of light / overshadowing.
- Concerns that the proposed form and layout of the development would be out of keeping with the primary frontage development in adjacent to the site.
- Concerns re flood risk.
- The application site is not within the physical confines of Colsterworth.
- Proposed dwellings will have no gardens.
- The David Wilson development does not represent a continuum of the development on School Lane as it is physically separated by a footpath and fencing.
- The proposed development would adversely impact on the attractive vistas of the river valley in direct conflict with the agent’s statements that this is an important feature of Colsterworth.

- Concerns re lack of footpath along School Lane which would be detrimental to pedestrian safety.
- The development does not integrate well into the public realm in the locality.
- Concerns relating to impact on wildlife.
- No requirement for further housing development in Colsterworth.
- Concerns re demolition of existing attractive period house.
- Concerns re access to adjacent field, which may be for possible future development.
- School Lane is characterised by loosely scattered properties fronting onto the lane. The development would be at odds with this.
- The proposed development would result in loss of views across the valley from School Lane and from the south east present a picture of an old manor house hemmed in by a crass opportunistic modern development.
- Concerns relating to the impact of plots 3 and 4 on the amenities of the occupiers of 15 School Lane.
- Concerns that the development would have a detrimental dominant and imposing impact on this quite rural location.
- Concerns that the proposed dwellings would be overlooked by existing properties.
- The development comprises part of an uncohesive group of dwellings which juts out into agricultural land.
- The existing building is an iconic local landmark.
- No community involvement in design process.
- Inappropriate use of space.
- Concerns re loss of existing landscaped garden which contributes to the amenity of the surrounding area.

Policy Considerations

National Planning Policy:

PPS1 – Delivering Sustainable Development

PPS3 – Housing

PPG13 – Transport

PPS25 Development and Flood Risk

Development Plan:

East Midlands Regional Plan 2009 (RSS8)

Policy 1 – Regional Objectives

Policy 2 – Promoting Better Design

Policy 3 Distribution of Development

Saved Policies of the South Kesteven Local Plan

Policy H7 – Housing (criteria a, i, ii, iii, iv, v). This policy states that planning permission will normally be given for small groups of dwellings within or adjacent to exiting built-up settlements. In determining such proposals the policy requires that consideration be given to the impact on the form and character of the area, the availability of services, the

proposed access arrangements, the need to protect open spaces defined on the proposals plan, and the need to avoid the extension of isolated groups of houses.

Policy EN1 – Protection and Enhancement of the Environment (criteria i, ii, iii, iv, v, vi, vii). This is a general policy containing a list of criteria which seeks to preserve and enhance the visual quality and amenity of the built and countryside environments.

Interim Housing Policy (IHP). This policy restricts development in the countryside and settlements that are not considered to be sustainable. Colsterworth and Woolsthorpe by Colsterworth are linked in the IHP and are defined as a 'Local Service Centre' where development is permitted on previously developed land as defined by PPS3. The IHP also permits development relating to exception sites for affordable housing, agricultural and forestry workers dwellings where a local need is proven.

Key Issues

The key issues in the consideration of this case are considered to be:

- Impact on the residential amenities of adjacent properties
- Highway Safety and intensification of vehicular movements on School Lane
- Impact on the visual amenity of the surrounding area
- Sustainability issues and impact on local facilities
- Proposed layout and impact on character of surrounding area
- Scale of proposed development
- Flood risk

Officer Evaluation

Concerns have been raised with regard to the amount of development taking place in Colsterworth and the impact that this is having on local facilities. As already stated above Colsterworth is designated as a 'local service centre' in the Council's Interim Housing Policy. As the proposal involves the redevelopment of previously developed land within the confines of a village defined as a 'local service centre' the proposal is in conformity with strategic and locational criteria within the policies set out above. It is therefore considered that the proposed development of four additional dwellings will not place undue pressure on existing facilities.

Concerns have been raised with regard to the proposed access arrangements to the site and the potential increase in vehicular movements in the area especially along School Lane and at the junction of School Lane and High Street. The Local Highway Authority has been consulted and raised no objections to the proposed development subject to the inclusion of a number of conditions. It is therefore considered that the proposed access arrangements will not have an adverse impact on highway safety in the surrounding area.

Significant concern has been raised with regard to the scale and layout of the proposed development. The applicant has provided layout plans, elevations and cross section which demonstrate that the proposed four dwellings can be accommodated on the site without having a detrimental impact on the amenities of adjacent properties.

The proposed layout would result in the erection of four dwellings within the curtilage of No.11 School Lane. The existing property is located within large grounds of sufficient size to accommodate the proposed development. It is considered that the proposed layout which sees the dwelling served via a private drive looping through the development would create a pleasant and attractive form of development which would not appear out of character with the surrounding developments.

Reference has been made to application S07/0272 which was refused due to the layout being out of character with that of the surrounding area. It is a requirement that all applications are assessed on their own individual merits. Notwithstanding this it is considered that the two developments are significantly different, in particular their layouts which cannot be readily compared.

Concern has been raised at the overall scale of the proposed dwelling and that they will appear to be dominant and oppressive features in the landscape. The proposed dwellings are of traditional appearance and have a range of ridge and eaves heights comparable with those of adjacent properties. The dwelling on plot 3 has been amended since the early application (S08/1281) in order to overcome concerns about the overbearing impact on the adjacent dwelling. Originally a two storey dwelling was proposed for plot 3 this has since been amended to show a split level property with the western part of the dwelling closest to the boundary with number 15 School Lane being single storey in appearance (eaves height approximately 2.8m and a ridge height of 6m. It is considered that this arrangement will ensure that the dwelling on plot 3 will not have any significantly adverse overbearing impact on the occupiers of the adjacent property.

The application plans show the existing boundary hedge between the application site and number 15 to be retained at a height of 1.2m. It is considered that this would not fully protect the amenities of the occupiers of number 15 from overlooking albeit from ground floor level. It is therefore recommended that a condition requiring the erection of a 1.8m high boundary fence along the western boundary of plot 3 be imposed on any consent.

Given the layout and orientation of the proposed dwellings it is considered that the development would not result in any significant loss of privacy or loss of light to adjoining properties. The proposed separation distances and window arrangements to the proposed dwellings ensure that there will be no significant overlooking of either the proposed or existing dwellings.

The site is located within the river valley on ground which rises from the east to west. The site can be viewed at distance across the valley from a number of locations particularly along the southern part of High Street. The site is located on the edge of the built form and directly abuts open agricultural land to the south. It is considered that the proposed layout and scale of the proposed dwellings is in keeping with adjacent residential properties. When viewed from the south east the site will be viewed against the backdrop of existing two storey modern dwellings and will not encroach into the open countryside. It is therefore considered that the proposed development will not have an adverse impact on the general form and character of the surrounding area.

Concerns have been raised about possible flood risk. The proposed development is located on the edge of the Environment Agency's flood plain. The applicants have

submitted a flood risk assessment with the proposed development and this has been forwarded to the Environment Agency for comment. The Environment Agency's comments are not available at the time of writing the report and will therefore be reported in the Late Background Papers document circulated on the day of the meeting.

Concerns have been raised with regard to the impact of the development on local wildlife. It is considered that the proposed development is unlikely to result in any significant adverse impacts on local wildlife. It is however recommended that a note be attached to any consent advising the applicant that it is an offence under the Wildlife & Countryside Act 1981 to disturb protected species and to stop work and contact Natural England immediately if any protected species are found during construction.

One objection has been received raising concerns that the proposed dwellings have no gardens. This statement is inaccurate as all of the proposed dwellings have rear gardens ranging from 7.5m to 9m deep. It is considered that this arrangement is consistent with other properties in Colsterworth.

Concern has been raised with regard to the loss of the existing dwelling. This is not an issue as the plans show the existing dwelling to be retained within the scheme.

Concerns have been raised in relation to loss of property values and loss of views from private properties. These issues are not material planning considerations and cannot therefore be considered as reasons for refusal of the application.

Crime and Disorder Implications

This application raises no significant 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 that act will be breached.

SUMMARY OF REASON(S) FOR APPROVAL

The proposal is in accordance with national and local policies as set out in Planning Policy Guidance Notes and Statements PPS1 - Delivering Sustainable Development, PPS3 - Housing, PPG 13 - Transport, PPS25 - Development and Flood Risk, Policies 1, 2 and 3 of the East Midlands Regional Plan 2009 (RSS8) and Policies H7 and EN1 of the Saved Policies of the South Kesteven Local Plan and the adopted south Kesteven Interim Housing Policy. The issues relating to residential amenity, highway safety, scale, density, landscaping, sustainability and flood risk are material considerations but, subject to the conditions attached to this permission, are not sufficient in this case to indicate against the proposal and to outweigh the policies referred to above. The issues relating to loss of views from private residential properties and loss of property values are not material planning considerations and could not be taken into consideration.

CASE OFFICER RECOMMENDATION: That the development be Approved subject to condition(s):

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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), no extension, enlargement or other alteration of the building(s) shall be carried out without Planning Permission obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties or to the character of the area, and for this reason would wish to control any future development in accordance with Saved Policies H6 and H7 of the adopted South Kesteven Local Plan.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), no window, dormer window or rooflight other than those expressly authorised by this permission shall be constructed without planning permission having first been obtained from the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of nearby properties in accordance with Saved Policies H6 and H7 of the adopted South Kesteven Local Plan.

4. 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 Saved Policy EN1 of the South Kesteven Local Plan.

5. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include [proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant.] Soft landscape works shall include

[planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme]

Reason: Hard and soft landscaping and tree planting make an important contribution to the development and its assimilation with its surroundings.

6. Notwithstanding the submitted plans a 1.8m fence shall be erected along the western site boundary between plot 3 and 15 School Lane.

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.

7. This permission relates solely to the application as amended by drawing no. 1397/4D received on 30 April 2009

Reason: The earlier submitted drawings were unacceptable because they did not provide sufficient information.

8. Before any development is commenced, details including location and means of disposal of surface water and foul drainage shall be submitted to and approved by the District Planning Authority, and no building shall be occupied until the drainage works have been provided.

Reason: to ensure that satisfactory drainage is provided in accordance with policy H7 of the Saved Policies of the South Kesteven Local Plan.

9. Before the dwelling(s) is/are occupied, the access and turning space shall be completed in accordance with the approved plan, drawing number 1397/4D dated 30 April 2009, and retained for that use thereafter.
10. Development shall proceed fully in accordance with the approved Flood Risk Assessment, and the applicant shall confirm completion of the approved scheme in writing within one month thereafter.

Reason: To ensure protect the development from flood risk in accordance with the requirements of Planning Policy Statement 25.

Note(s) to Applicant

1. This site is within 50m of a Land Contamination Concern. Please contact Environmental Protection Services on 01476 406300 for further information.
2. This road is a private road and will not be adopted as a Highway Maintainable at the Public Expense (Under the Highways Act 1990) and as such the liability for maintenance rests with the frontagers.

3. The applicant is reminded that it is an offence under the Wildlife & Countryside Act 1981 to disturb protected species and advised that if any protected species are found on site during construction work should stop and Natural England notified immediately.
4. 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.

* * * * *

Applicant	Mr Daniel Browne, Twigden Homes Ltd (Kier Group) Lysander House, Tempsford Hall, Sandy, Bedfordshire, SG19 2BD
Agent	
Proposal	ARM - Community Centre, 4 retail units and 42 apartments for the over 55's with associated office, residents facilities, parking, access and amenity space
Location	Zone 3, Elsea Park, Bourne
App Type	Major RM (Residential)
Parish(es)	Bourne

REPORT**Application Category**

This application is categorised as a major application.

Reason for Referral to Committee

The application has been referred to Committee because it is a major application.

The Proposal

This is a reserved matters application for the erection of a Community Centre, four retail units and a sheltered scheme consisting of 42 apartments with warden facilities and a communal lounge and gardens. The Community Centre meets the requirements of the Section 106 Agreement on the outline planning consent SK.94/0125. The Community Centre consists of a meeting hall, which can be sub-divided, office, bar and kitchen, and storage facilities. To the rear of the hall a secure storage area is provided for the Community Trust Groundsman.

The 42 sheltered apartments are located above the proposed retail units and include a small private resident's garden, communal lounge, laundry and visiting warden office. A mixture of one and two bedroom apartments is proposed over three storeys with lift access.

The retail element of the proposal located at ground floor level below the 43 apartments comprises 4 units. Units 1-3 comprise one 76m² unit and two 80m² units. The units have been designed to enable provision of a hairdresser, estate agent, pharmacy. The applicants supporting design and access statement also makes reference to a possible take away food outlet although this would not comply with the terms of the outline consent and as such would require a further application. Unit 4 is the largest unit approximately 418m² in size and has been designed to accommodate a food small food retail unit.

Units 1-3 have been designed so that deliveries are made from the front of the units, although it will be possible to manoeuvre light goods vehicles and vans to the rear.

Deliveries to unit 4 would be made via a service yard located on the northern side of the site.

Opening hours are proposed between 7:00am and 11:00pm with sound insulation installed to mitigate the impact on the sheltered apartments above. Deliveries are proposed to be restricted to occur between 8:00am and 6:00pm.

34 car parking spaces (including 5 disabled) are located to the front of the site and would serve the Community Centre and the retail units. A further 16 car parking spaces (including 5 disabled) would be located towards the rear of the site to serve the sheltered apartments and a further 7 spaces would be provided for staff parking adjacent units 1-3. This equates to a total of 57 parking spaces. 14 cycle stands accommodating 28 bicycles have also been proposed.

The application site and its surroundings

The application site forms part of the Elsea Park development which is located on the south western edge of Bourne. The site is located centrally within the Elsea Park development and adjacent to phase 3 of the residential development. The site consists of a rectangular parcel of land approximately 0.8 hectares (2 acres) in size. The site is currently redundant agricultural land. The site is located to the east of Wherry Spinney, a densely wooded area. The area of land located to the South of the Community Centre has previously had approval to be used as general open space provision.

The site is located within walking distance of Bourne Town Centre and has good public transport links.

Site History

SK.94/0125 – In June 2001 outline planning permission was granted for residential development of the site (now known as Elsea Park) this permission included associated development including a Community Centre and Neighbourhood Centre including retail units. There have been numerous reserved matters applications on adjacent parts of the Elsea park development for residential development.

S08/1389 – This application was for a similar development to that currently proposed the application was withdrawn by the applicant in order to enable negotiations on the design and parking provision.

Representations Received

Planning Policy:

“This proposal is the result of ongoing discussions relating to this zone of the Elsea Park development.

The Local Plan allocation and the development brief for the site requires the development to be “comprehensively planned to provide for a range of housing needs, local shops and community facilities”. This application meets these requirements, and ensures that the developments community needs are met in an appropriate part of the site. It is also noted that the proposal has been drawn up with the support of the Elsea Park community group.

I therefore support the principles of the scheme.”

Partnership & Project Officer Housing Solutions:

“As you are aware, planning application ref S08/0647/12 provides for affordable housing on zone 3 (17 affordable housing units) and has been agreed in terms of size of units and location. The requirement of the S.106 agreement for Elsea Park provides for 0.4 hectares (1.00) Acres on zone 3. At the present time due to the housing and financial the above planning permission has not been implemented, therefore the affordable housing has not been provided.

With regards to application S09/1245, this includes provision for 42 apartments for the over 55's, these units are planned for open market housing. There is an identified need for accommodation for the elderly (both affordable and open market) as there is an increase in the elderly population. This scheme will be the first provision made on the Elsea Park development specifically for the over 55's.

The S.106 affordable housing obligation for Elsea Park requires that 0.4 hectares are provided on completion of Zone 3 whether it is provided through planning application S08/0647/12 or S09/1245.”

Environmental Protection:

“I have looked at the above application. I would ask for the following conditions on any permission given.

1. Opening times for the retail units to be limited to 0700 to 2300 Monday to Sunday
2. Use of any of the retail units as café, restaurant, or hot food takeaway shall require the submission and approval by the Local Planning Authority of full details of odour suppression from cooking processes prior to any such use.
3. Details of lighting schemes for the car parking and other public areas shall be submitted and approved by the Local Planning Authority prior to use.

I think noise issues from the community centre will be best dealt with under the Licensing Act 2003 as they will certainly need to apply for a licence for the bar and any entertainment functions.”

Lincolnshire County Council (Education): No comments received

Environment Agency: No comments received

Lincolnshire Police: No objections, advice has been provided with regard to crime reduction and community safety.

Local Highway Authority: No objections to the proposed development. Conditions requested relating to parking and turning facilities being provided and maintained and details of surface water drainage being provided.

National Grid: has provided details of a high pressure gas main which crosses the site.

Health and Safety Executive (HSE): Comments awaited.

Community Archaeologist: No objections

Bourne Town Council: No Objections

Community Leisure Officer:

No objections subject to remaining allocation of Play and POS being located on the remaining area of Zone 3 which has not yet had approval.

Representations as a result of publicity

The application has been advertised in accordance with the adopted Statement of Community Involvement. Two letters have been received relating to the proposed development.

The first was a letter from an interested party requested advice and guidance on the location of the proposed development. Officers contacted the resident to provide advice.

The second was a letter of objection raising the following concerns:

- Concern relating to the close proximity of the proposed development to residential properties.
- Concerns relating to noise and disturbance.
- Concerns relating to visual impact of the development when viewed from adjacent properties.
- Concerns re highway safety having the Community Centre so close to what will become a busy road.
- Concerns relating to security given problems with teenagers riding quad bike in the area and the proposed car park is only likely to heighten the problem. CCTV should be installed.
- No more consents should be given to the developer until the existing parts of the estate have been completed to a satisfactory level.

Policy Considerations

National Planning Policy:

PPS1 – Delivering Sustainable Development
PPS3 – Housing
PPS6 – Planning for Town Centres
PPG13 – Transport
PPG16 – Archaeology and Planning
PPG24 – Planning and Noise
PPS25 Development and Flood Risk

Development Plan:

East Midlands Regional Plan (March 2009)

Policy 1: Core Objectives
Policy 2: Better design
Policy 3: Distribution of new development
Policy 13a: Regional housing provision
Policy 26: Protection and enhancing the region's natural and cultural heritage
Policy 27: Regional priorities for the historic environment
Policy 35: A regional approach to managing flood risk
Policy 46: A regional approach to behavioural change
Policy 48: Regional car parking standards

Saved Policies of the South Kesteven Local Plan

Policy H3: Residential Development
Policy S6: Local Shopping in Towns
Policy S7: Local Shopping Centres in Major New Housing Developments
Policy EN1: Protection and Enhancement of the Environment
Policy C2: Archaeology

Key Issues

The key issues in the consideration of this case are considered to be:

The impact the development has on the visual amenity of the surrounding area.

The impact the proposed development has on the residential amenities of adjacent properties.

The provision of the community centre and local facilities.

The impact the proposed development has as a result of the proposed parking provisions.

Highway Safety.

High pressure gas main.

Officer Evaluation

Scale and Layout

As stated above this is a reserved matters application comprising a Community Centre, 4 retail units and 42 apartments for the over 55's. The application site is allocated in the saved policies of the South Kesteven Local Plan for residential development under policy H3. The approved master plan for the Elsea Park development shows that this part of the site shall include a Community Centre and local neighbourhood retail facilities. Furthermore policy S7 of the Saved Local Plan Policies requires a local shopping centre to be provided within the Elsea Park Development. The proposed site is located centrally within the overall master plan for the Elsea Park development and is located within walking distance of the town centre and has good public transport links. As the principle of the local shopping facility is a requirement of the outline consent and forms part of the master plan for the site it is not considered necessary for a PPS6 analysis to be undertaken.

The building which comprises the proposed retail units and apartments is 3 storeys and has an 'L' shaped footprint. The buildings ridge height is approximately 13m with an eaves height of 9.5m. The siting of the building complies with the requirements of the master plan submitted with the outline application. It is considered that the scale and character of the building is appropriate and that it would be of a similar scale to the 3 storey residential properties proposed to be built opposite the site (approved under application S08/0647).

The proposed Community Centre is approximately 54m long, 16m wide, 10.5m high and has an eaves height of 4m. The Community Centre has been sited in accordance with the master plan submitted with the outline application. It is considered that the design of the building respects the scale and character of the adjacent residential development.

The nearest residential dwelling would be located approximately 15m to the east of the Community centre. The dwellings to the south of the site on Greenacres Drive will be located approximately 100m away from the development.

Overlooking / Loss of Privacy

It is considered that the proposed site layout, orientation of the proposed buildings and the separation distances between existing and proposed dwellings will ensure that the development will not have any significant adverse impact on the amenities of the both the proposed or existing dwellings.

Loss of Light / Overshadowing

The proposed site layout and separation distances will ensure that the proposed buildings will not result in any significant overshadowing or loss of light to any of the adjacent land which has had approval for residential development. The amenities of the future occupiers of the proposed dwellings will therefore not be adversely affected.

Traffic Generation / Parking

The proposed development would provide a total of 57 car parking spaces, 13 of which would be allocated for disabled parking. 16 of the car parking spaces would be specifically allocated to the residential apartments. This would result in 1 parking space for every 2.5 apartments. In addition to the car parking provision 14 stands accommodating 28 bicycles are also proposed.

The community centre and retail units form part of the master plan for the Elsea Park development. The site is located centrally within the Elsea Park development in order to encourage people to visit the site on foot or by bicycle given the close proximity to the residential dwellings it is intended to serve. The site also has good public transport links and is within walking distance of Bourne town centre.

The proposed apartment block is to provide sheltered accommodation for the over 55's. On this basis the Local Highway Authority has accepted the proposed level of parking. The apartments would also be located above a local retail facility and adjacent to the proposed community hall and therefore residents would not need to be dependant on a car.

The proposed development picks up on the key themes of a sustainable development where residents are not dependant on the motor vehicle. The local highway authority has been consulted and raised no objections to the proposed arrangements it is therefore considered that the parking and access arrangements are acceptable and will not be detrimental to highway safety.

Open Space Provision

The Section 106 Agreement for the Elsea Park development requires that within each zone provision should be made for one play space of at least 2000m² and two local play spaces of at least 350m². In August 2008 application S08/0647 was approved. Application S08/0647 related to the erection of 139 dwellings and associated open space on part of Zone 3. At this time it was accepted that part of the open space provision to Zone 3 could be accommodated within the most northern part of Zone 2. This was accepted as the open space could not be provided in the location indicated on the master plan due to the high pressure gas main where the HSE were objecting to any development on the gas main.

Part of the open space provision for Zone 3 has therefore already been approved. There is however still a requirement for a further 350m² area of play space to be provided. It is however considered that this would be better located on land to the north east of the application site. This will therefore be required to be included as part of any future applications on the remaining area of land within zone 3.

Notwithstanding this point the applicants have indicated that a small area of open space will be provided on land adjacent to the proposed shops. It should also be noted that there will be an area of open space provision located to the south of the Community Centre.

Noise and Disturbance

Concerns have been raised about noise and disturbance from the proposed development. The Council's Environmental Protection Team has been consulted and raised no objections to the proposed development. They have however suggested a number of conditions relating to the operation of the proposed retail development and details of any lighting for the proposed parking areas.

With regard to the proposed community centre the Environmental Protection Officer has suggested that this will be better controlled under the Licensing Act 2003 and as such no additional conditions will be necessary.

Section 106 Contributions

The Section 106 contributions for the Elsea Park development were originally negotiated as part of the outline consent approved under application SK.94/0125. The opportunity for requesting and negotiating contributions was at the outline application stage. As this is a reserved matters application and the principle of the development has already been established it is not appropriate or feasible to negotiate additional contributions.

Conclusion

The proposed development accords with the policies of the Development Plan and is accordingly recommended for approval.

Crime and Disorder Implications

This application raises no significant 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 that act will be breached.

SUMMARY OF REASON(S) FOR APPROVAL

The proposal is in accordance with national and local policies as set out in Planning Policy Guidance notes 13, 16 and 24, Planning Policy Statements 1,3,6 and 25 policies 1, 2, 3, 13a, 26, 27, 35, 46 and 48 of the East Midlands Regional Plan and policies H3, EN1, S6, S7 and C2 of the Saved Policies of the South Kesteven Local Plan. The issues relating to

design, layout, access, residential amenity, parking and noise and disturbance are material considerations but, subject to the condition(s) attached to this permission, are not sufficient in this case to indicate against the proposal and to outweigh the policies referred to above.

CASE OFFICER RECOMMENDATION: That the development be Approved subject to condition(s):

1. The arrangements shown on the approved plan 07051 (08)103 dated 22 May 2009 for the parking/turning/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 the adoptable highway and to allow vehicles to enter and leave the site in a forward gear in the interest of highway safety.

2. Prior to any of the buildings being occupied, the private drive shall be completed in accordance with the details shown on drawing number 07051 (08)103 dated 22 May 2009. (Please note that this road is a private road and will not be adopted as a highway maintainable at the public expense (under the Highways Act 1980) and as such the liability for maintenance rests with the frontagers.)
3. Prior to the development taking place details of the lighting scheme for the car parking and other public areas shall be submitted to and agreed in writing by the Local Planning Authority. The development shall only take place in accordance with the approved details.

Reason: to protect the residential amenities of the occupiers of the proposed apartments and in order to help protect against crime and disorder.

4. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include [proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant.] Soft landscape works shall include [planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme]

Reason: Hard and soft landscaping and tree planting make an important contribution to the development and its assimilation with its surroundings.

5. The ground floor retail units shall only be used for purposes falling within use Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order

1987, as amended, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: The Council wish to be in a position to assess the impact of any other use on the residential amenities of the occupiers of adjacent properties.

6. The building marked on the submitted plans as a Community Hall shall be used as a local community centre and for no other purpose (including any other purpose in Class D2. of the Schedule to the Town and Country Planning (Use Classes) Order 1987, as amended, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: The use of the premises for any other purpose would be unacceptable because it would result in the loss of an essential community facility which is required as part of the overall master plan for the development.

7. The retail premises hereby approved shall not be used for the purposes authorised by this permission outside the hours of 0700 hours to 2300 hours Monday to Sunday.

Reason: Operation of the use outside these hours would result in unacceptable levels of noise nuisance to local residents.

8. The loading/unloading of delivery vehicles within the application site shall only be carried out between 0800 hours and 1800 hours Monday to Sunday.

Reason: To protect the amenities of the residents of adjacent properties.

9. The apartments hereby permitted shall be used for the purposes of sheltered housing only.
Occupiers 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 sheltered housing. Use of the apartments for general housing would result in additional on-street parking which would be detrimental to highway safety.

Note(s) to Applicant

1. Your attention is drawn to the attached comments of Lincolnshire Police.
2. Your attention is drawn to the attached comments of National Grid

3. The applicant is reminded of the need to comply with the requirements of the substantive outline consent under application SK.94/0125/12. In particular conditions 10 and 19 which require details of material and boundary treatments to be submitted prior to any development taking place.

* * * * *

Applicant	Burghley House Preservation Trust C/o Agent
Agent	Mark Flood, Insight Town Planning Suite 1, Lodge Park House, Kettering Parkway South, Kettering, NN15 6XU
Proposal	Extensions and alterations to hotel and works of partial demolition
Location	Lady Annes Hotel, 36-38, High Street, St. Martins, Stamford
App Type	Full Planning Permission
Parish(es)	Stamford

REPORT

Reason for referral to Committee

Significance of development to the wider community.

Councillor Gaffigan also requested that the application be referred to Committee for determination.

The Proposal

Planning permission is sought for extensions and new-build works within the grounds of Lady Anne's Hotel in order to provide additional bedrooms and facilities.

The main elements of the proposal are as follows:

- Two storey Bedroom/Function Room Extension: 798.25 sq.m.
- Single storey Garden Wing: 956.68 sq.m.
- Reception Area: 124.74 sq.m.

The remaining areas will include the new formal garden, car parking/access and woodland planting.

The above works would result in the Hotel having the following facilities :

- 50 bedrooms;
- Private meeting rooms / dining rooms;
- Restaurant area;
- Bar;
- Garden room / restaurant area;
- Reception / lounge area;
- Function room including bar area but excluding wc's (222m² GFA) accommodating some 185 to 200 persons, and some 150 seated at tables;

- 75 car parking spaces including 6 disabled parking spaces and dropping off point.

The proposed two-storey extension would be located immediately to the east of the existing buildings and would be linked to them by a new, top-lit passageway.

It would provide, primarily, a new hotel reception and function room on the ground floor and bedrooms to the first floor. The two-storey extension has been designed so as to appear subservient to the original building and wraps around behind the existing hotel so as to minimise the visual impact of the extension from public view points. The two-storey extension and bridge first floor link to the existing buildings would be faced in random coursed semi-dressed rubble limestone walling with ashlar limestone quoins, lintels and cills, string courses and other dressings. This would reflect the characteristics of the original adjacent buildings. The roof pitch would be at an angle to match the adjacent existing buildings and covered with natural slate. The roof of the bridge link would be flat with parapet wall detailing. Windows would be traditional timber vertical sliding sashes. Other elevations are to be rendered so as to appear subservient to existing buildings

The eaves height of the two-storey extension would be 6.85m and the ridge would be 9.5m similar to some elements of the existing southernmost building of the hotel but significantly lower (1.8m) than the closest element.

A further extension in the grounds to the east of the proposed two-storey element would be of a single-storey circular bedroom complex, the form of which is to an extent determined by the boundary line upon which it is located. It would have a low monopitch roof built off an outer masonry wall for support. The design is intended to be redolent of historic walled garden structures. The roof would slope inwards to an enclosed formal garden. It would be 2.4m high at the front, rising to 3.9m at the rear where it would form the boundary with Burghley Park.

The low pitched roof would be surfaced with a proprietary organic membrane system planted with indigenous grass species. The pitch of the roof varies with the depth of section to maintain a constant horizontal line at the front and rear abutment. The garden front is open and framed with regularly spaced columns demarcating the subdivision of the building into individual bedroom units. The units would have full height glazed screens containing proprietary prefinished aluminium faced timber core elements, providing individual access to the gardens. The fascias are to be rendered in fair finish cedar cladding weathering to a natural silver grey. Where the garden front forms a deeper section with the rear wall, the bedroom face is recessed back and patios have cedar pergolas over.

The existing conservatory to the south elevation of the southernmost building would be replaced with a larger one of timber construction. The linking of this space to the refurbished bar area is intended to provide enhanced bar and informal dining facilities.

Some previous unsympathetic alterations and extensions would be addressed, with the removal of the existing conference, kitchen and dining room areas and by the reinstatement of historic features obscured or lost by their introduction.

Access throughout the hotel would be improved for the less able visitor.

There is an accompanying application for Listed Building Consent (S07/LB/6788/69) for the works of alteration and extension that is also included on this Agenda.

The application site and its surroundings

Lady Anne's Hotel occupies buildings that were originally built as three houses, nos. 36, 37 and 38 High Street, St. Martin's. It is the southernmost property in South Kesteven District on the eastern side of High Street and the most prominent when approaching the town from the south.

No. 36 is listed grade II* and Nos. 37 and 38 are grade II listed.

The hotel and its grounds cover an area of approximately 0.8 Hectares.

At present the hotel has 30 bedrooms, function rooms, restaurant a marquee in the grounds and informal parking for approximately 115.

The grounds are bounded on the northern side by Burghley Lane, a narrow thoroughfare off the eastern side of High Street that connects with Barnack Road, and the modern, three-storey boarding house of Stamford Girl's School. To the east and south is Burghley Park (within the neighbouring Authority, Peterborough City). On the opposite side of High Street there is, progressing northwards, a paddock, the junction with Pinfold Lane, which connects with Kettering Road but is a 'no-through road' for vehicles, two listed houses and The Garden House Hotel.

The grounds of the hotel rise gently from north to south, with a difference in level of approximately 2.0m between Burghley Lane and the boundary with Burghley Park. The area to the south of the hotel buildings are well wooded and given over to car-parking which is informally laid out between the trees with mainly a loose gravel surface.

The principal access to the site is directly off High Street through a near 5.0m gap in the perimeter wall. There is a secondary access off Burghley Lane but this is little used due to the narrowness of that thoroughfare. There is also another access off High Street, some 50.0m to the south of the main entrance. This serves a gravel track that runs between a group of Sycamore trees off the southern end of the car park.

The County and District boundaries follow the eastern and southern boundaries to the hotel grounds. The neighbouring local authority is Peterborough City in the County of Cambridgeshire.

The II* grading of no. 36, the northernmost building of the group comprising the hotel, identifies it to be of more than special interest and in the top 6% of all listed buildings.

It was built between 1767 and 1771. It is two-storey with attics and a cellar, and constructed with coursed rubble walls and freestone dressings. The extensions to the rear appear to date from the late 19th Century.

No. 38, the southernmost and visually the most prominent building, dates from the early 18th Century. It is two-storey with attics and a cellar. It has an ashlar front wall with a

coursed rubble rear wall partly rebuilt in modern brick. Internally, there is an early 18th Century stone fireplace. A substantial two-storey wing has been added to the southern end of the building, probably in the first half of the 18th Century. This was further altered, probably in the 19th Century.

The middle building, No. 37 was erected between the earlier houses of No. 36 and 38. It was also extended at the rear in the 19th Century.

Residential use of the buildings ceased between 1926 and 1947 and they became part of Stamford School. They became a hotel in the 1970's. The buildings comprising the hotel have undergone much alteration and have extensions at the rear, mainly in connection with their current use. The rear of the building includes various additions which are functional and of limited architectural merit.

At the rear of the buildings are the remnants of formal domestic gardens and some of their former divisions. There is also a small square, two-storey lodge building to the rear of no. 36.

To the south and east are the car park, informally laid out amongst the numerous mature trees and shrubs in this area.

Within the grounds of the hotel, to the east of No. 38 is a marquee that is used for functions such as weddings.

The existing hotel buildings and the grounds immediately to the rear and east lie within the Stamford Conservation Area but the grounds to the south and south-east, up to the District/County boundary lie outside.

When the Stamford Conservation Area was originally designated (1967), the grounds to the south/south-east were not within South Kesteven/Lincolnshire. They were in the neighbouring Local Authority Area, Cambridgeshire/ Peterborough city. It was following a Boundary Commission Revision in the late 1980's that this area, together with some other areas of land around Stamford, was transferred to Lincolnshire/South Kesteven. The Conservation Area boundary therefore follows the former District/County boundary.

It may be, however, that when the Conservation Area is 'Appraised' the area up to the Authority's boundary will be included in the Conservation Area.

Representations Received as a result of consultation

Planning Policy:

The planning policy observations below focus upon the justification of need for additional hotel bed spaces within Stamford and the potential impact of this proposal upon existing supply within the town.

In 2005 Lincolnshire Tourism together with the County and District councils commissioned research into the supply and demand for hotel development within the county. A summary of the findings of this report was published in March 2006.

The report set out to identify current and future trends in the UK hotel market and considered these trends together with current trade and developer interest within the hotel industry in the county. The outcome of the study is to identify the main locations within the county which could accommodate additional hotel development of a specific type.

In relation to Stamford and the south western part of Lincolnshire the study identifies the following key needs:

- a demand for Corporate hotels; hotels able to host weddings and leisure breaks;
- all Lincolnshire hotels turn away business when major events are held within the county (for example Burghley Horse Trials). This demonstrates a real need for additional hotels in Lincolnshire;
- a lack of suitable sized hotels together with the demand from higher value business users prevents tour operators securing suitable accommodation for UK and overseas tours;
- a need for destination hotels at key attractions;
- a need for budget hotels with 40-60 rooms.

The proposal for the Lady Annes Hotel would provide for both an increase in the number of bedrooms and an improvement in the quality of offer. The hotel also currently hosts weddings and an increase in bedrooms would also improve the quality of offer for such functions. As such the proposal would ensure the Lady Anne Hotel met at least three of the above areas of need.

Sequentially the hotel is well positioned within the town of Stamford to ensure maximum opportunity for guests to reduce the need to travel by private car, to enjoy the attractions of the town. In addition the development of a larger, quality hotel at one of Lincolnshire's key destinations would contribute to wider objectives to increase the hotel offer within the county to meet the evolving market needs. I am therefore satisfied that there is an identified need within Stamford for additional hotel accommodation and that this proposal could go some way to meeting this need.

The applicant has submitted an impact report which considers the wider impacts of the proposal upon both existing hotels and restaurants within the area. Whilst the evidence of the Hotels Future report indicates a need for additional hotel development within Stamford, I do not feel qualified to comment upon the possible impact of the proposal upon existing hotel and restaurant supply within the town. You may therefore wish to seek further advice on this matter from someone with specialist knowledge of this market.

Local Highway Authority: Requests five conditions be attached to any grant of planning permission. See conditions 6-10 below.

The Highway Authority have also offered the following comments:

The applicant, in proposing their alterations to the Lady Anne's Hotel have provided information as and when requested by the local highway authority via South Kesteven District Council going back over the two years of the life of this application.

Much of the concern centres on the amount of parking spaces provided as part of the proposal.

The Lincolnshire County Council's 'Development Guide on Transport and New Development Issue in Lincolnshire' sets out the maximum parking standards to be applied to new, or extensions to existing developments.

This is in accordance with National Policies and Guidelines principally PPG13, and Planning Policy Statement 4 now out for consultation. Within these documents, it states that there should be no minimum standards for development, other than parking for disabled people.

As stated in the Transport Assessment (TA) accompanying the Application, the existing parking by the parents and pupils of Stamford Endowed School were correctly disregarded in the data as this is an informal arrangement between the current hotel management and the school.

There is no guarantee that this arrangement will continue under any management the owners appoint.

The TA and Demand Management Plan as requested as part of the planning process is in accord with requirements of local planning authorities needing to take into account the following (the list is not exhaustive):

- The need to encourage access to development for those without use of a car and promote sustainable transport choices, including cycling and walking.*
- The need to reduce carbon emissions.*
- The current, and likely future, levels of public transport accessibility.*
- The need to reduce the amount of land needed for development.*
- The need to tackle congestion.*
- The need to work towards attainment of air quality objectives.*
- The need to make provision for adequate levels of good quality secure parking in town centres and as part of major proposals.*
- The need to provide appropriate disabled parking.*

The TA was assessed by experienced officers of the local highway authority and included sections devoted to parking and accidents and was deemed to be reasonable.

At the time the TA was submitted the accident data provided within the report, and verifiable from this authority's record, and compared with the more recent data would not result in a change in the highway authority's position.

The Demand Management Plan is an evolving document, produced so that it may be 'Conditioned' and reviewed on a regular basis to determine issues/improvements that may be desirable based on practice.

Response of the Local Highway Authority to Issue 25 under "Representations received as a result of publicity":

"Please note that feasibility work in relation to a Stamford Bypass/Relief Road has not yet begun.

There is no identified preferred line and therefore the proposed alterations will not prejudice a future relief road and there will be no request for refusal on this basis.

In respect therefore of the development under consideration, the revised detail recently sent to this office for consideration will be dealt with in the normal manner and the local highway authority will respond shortly."

Environmental Protection Officer :

Requests condition requiring the submission of details of noise insulation to be installed in the function rooms to protect neighbours from noise breakout and similarly details of ventilation/air conditioning systems so that the windows do not have to be opened during functions.

Community Archaeologist :

Requests standard condition H101. It is considered that the site offers potential for archaeological remains to be encountered during development.

SKDC Arboriculturalist :

The Arboricultural Implications Assessment is comprehensive and reflects the various discussions I had with Mark Ashman (Author of Assessment).

In the schedule of tree works the majority of trees detailed to be removed are not easily visible from outside the site and will have little impact on the High Street frontage. The pollarded Limes either side of the entrance are shown to be removed and replacement trees planted immediately to maintain the street scene.

Implementation of the Construction Exclusion Zone and the remaining conditions (2.0 – 19.0) in the Arboricultural Method Statement will safeguard the trees to remain.

Tree planting as part of landscape plan will help to diversify the age range which at present is fairly uniform.

Within the proposed development window a total of six groups of trees have been identified for removal.

Group 1, Large leaved Lime. These trees have been pollarded regularly for many years and are beginning to decay in the pruning wounds. Decay will continue to progress into the trunks of the trees and failure will occur if the pollarding is not continued. Although pollarding is a traditional form of tree management, it was used to provide winter feed for animals, and is now used to restrict the size of a tree, it looks out of place in a built environment.

It was considered that planting replacements will enable the tree cover to be maintained as well as giving a more natural appearance to the southern approach to Stamford. Cultivars of Limes are available that have a pyramid habit and do not require regular major pruning to restrict their size.

Group 5, Apple. A group of domestic apple trees that are small in size and are not easily visible from outside the site.

Group 6 and Group 9, Hybrid Poplar. Two groups of trees that are relatively short lived. They are prone to losing branches and are susceptible to fungal infection that causes rapid decline and deterioration. These trees have reached maturity and are likely to decline rapidly and become potentially dangerous.

Group 10, Yew, Lawson Cypress, Box. This group of evergreen trees has little merit having been overrun with Ivy. This has caused extensive die back and left the trees looking unsightly.

Group 11, Yew, Lawson Cypress, Holly, Elm. Another group of evergreen trees that has been overrun with Ivy. Die back is apparent throughout the crowns of these trees. Dutch Elm Disease has also been identified.

Groups 5, 6, 9, 10 and 11 are internal plantings that have little impact visually from outside the site. Land to the south and east of the proposed development is traditional woodland that links the site with Burghley Park.

English Nature :

Based on the information provided Natural England has no objection to the above proposal in relation to species especially protected by law, subject to the following conditions :

Before the development commences a method statement, as per the submitted protected species report mitigation measures and timetable of works to mitigate any adverse effects to bats, shall be submitted to and agreed in writing with your Authority and shall be carried out as part of the development.

The protection afforded these species is explained in Part IV Annex A of ODPM Circular 06/2005 Biodiversity and Geological Conservation – Statutory Obligations and their impact within the Planning System.

The applicants should be informed that planning permission, if granted, does not absolve them from complying with the relevant law, including obtaining and complying with the terms and conditions of any licences required as described in Part IVB of the Circular.

English Heritage (Historic Areas):

Comments on original submission (received 27 June 2007)

Summary

The proposals for Lady Anne's Hotel would be harmful to the special interest and setting of the listed buildings of which it is constituted, due to scale, design and layout. We therefore advise that the application should be refused.

English Heritage Advice

Lady Anne's Hotel consists of a number of listed buildings that have been combined.

Although there have been some harmful alterations (and we understand some of these remain unauthorised), the buildings remain largely intact, but marred somewhat by poor flat roofed additions.

We have provided advice on previous occasions on how the existing hotel could be improved by the removal of these flat roofed additions, the building of a modest extension and health suite in the car park.

The proposals that have come forward show essentially a very large extension to the hotel consisting mainly of bedrooms, which although bearing some similarities to the previous scheme, is in fact very different, and much larger. Additionally the flat roofed extensions are replaced by a further flat roofed lobby area and large bedroom extension. The previous justifications therefore do not apply as this in essence an entirely fresh proposal.

The area previously intended for "health suite" use has been enlarged and attached to the hotel, essentially forming a further very large single storey flat roofed (although grassed) extension.

These extensions as a whole almost completely obliterate the existing gardens which are an important part of the setting of these buildings. They date from their use as houses and continued in use as gardens by the hotel. The provision of new gardens bounded by the single storey extension does not in any way mitigate this impact.

There are some reinstatement s of internal walls in the proposals which should regarded as beneficial, however these are balanced and possibly outweighed by demolition of other internal walls.

Seen in plan, the scheme as a whole appears as a new hotel attached to the existing building. Whilst the design of the proposed changes has been handled skilfully, their sheer extent and bulk is the issue. If this is necessary to make the hotel economically viable one must surely question (given the impact of the proposals) whether the hotel use is any

longer appropriate, whether conversion back to individual dwellings would be a more suitable response.

There is not, however, any compelling evidence supplied in the supporting information that would suggest that the existing hotel is unviable.

Recommendation :

In conclusion we advise that the proposals would be harmful to the special interest and setting of the buildings that constitute Lady Anne's Hotel. Even if they could be justified on an economic viability basis (and we do not think they have), this would merely suggest that an alternative use more sympathetic to the buildings should be sought. We therefore recommend that the applications are refused.

We would welcome the opportunity of advising further. Please consult us again if any additional information or amendments are submitted. If, notwithstanding our advice, you propose to approve the scheme in its present form, please advise us of the date of the committee and send us a copy of your report at the earliest opportunity.

Comments on revised proposals (received 20th December 2007)

Thank you for consulting English Heritage on the revised proposals. The amendments to the scheme have not addressed the concerns that we raised previously and we therefore continue to advise that the applications are refused.

English Heritage (Historic Parks and Gardens): Comments awaited.

Garden Historic Society: Comments awaited.

Stamford Town Council :

The Committee voted unanimously against the application and recommended strong objection to the application on the following grounds:

- That servicing, including refuse collection, should only take place from the main entrance and that a condition should be made closing all access from Burghley Lane.
- The ramp currently in place at the Burghley Lane entrance should be removed.
- The sight lines require improvement at the main entrance to St Martins.
- Lack of adequate parking provision will result in serious congestion.

- Due to additional congestion, width restriction difficulties for emergency vehicles accessing the A1 from St Martins.
- Loss of privacy to Stamford Endowed School Boarding House.
- The modernist, environmental design proposed is wholly unsympathetic with the historic, conservation town street scene in a heritage setting.
- It would constitute a major over development of the site which would increase the existing footprint by 132%.
- Increase and noise and loss of privacy for residents in Burghley Lane to the clear detriment of residents.
- No practical need for the development has been demonstrated.
- It is believed that no tree survey has been undertaken and it is recommended that this is carried out by the SKDC Arboricultural Officer.
- Significant impact on the known, existing wildlife habitats of bats and Nightingales.

The Committee acknowledges the efforts made by the Planning Officer and considered that an attempt should be made to influence the application through the attachment of conditions. It is most strongly urged that SKDC takes heed of local residents concerns as well as the considered views and recommendations submitted by the Town Council.

Peterborough City Council :

Thank you for providing Peterborough with an opportunity to comment on the proposed development which is made in relation to any impact on the character of Burghley Park. The Park is recorded on the English Heritage Register of Gardens and Parkland as Grade 1 and identified as an 'Area of Historic Landscape or Parkland' (Policy LNE14) and 'Site of Local Nature Conservation Importance' (Policy LNE16) in the Peterborough Local Plan (First Replacement).

The courtyard wing is set below the 3-meter boundary stone wall and will not be visible from views from the Park or approaching from St Martin's. The development will largely be screened by the large tree belt abutting the east and southeast boundaries of the site. Overall it is considered the proposal will not have an adverse impact on the setting and character of Burghley Park.

The boundary will be built of local limestone with architectural details and a lime rich mortar should be specified.

Representations received as a result of publicity

The application has been advertised in accordance with statutory requirements and the adopted Statement of Community Involvement.

A total of 47 representations have been received and the issues raised can be summarised as follows :

1. Detrimental impact on highway safety and the amenities of Burghley Lane from increased parking and use of access for deliveries.
2. Many local organisations, community and charity groups hold meetings at the Hotel for little or no charge. This may be lost if development allowed.
3. Burghley Lane too narrow to accommodate service vehicles and additional car-parking.
4. Two-storey extension would create too dominant and an oppressive environment for dwellings on Burghley Lane.
5. Noise and disturbance from delivery vehicles using Burghley Lane.
6. Would increase congestion and on-street parking problems in the vicinity of the hotel, particularly during school terms.
7. Storage of waste with potential for smell would be detrimental to the residents of Burghley Lane.
8. Availability for continued use by community groups should be condition of approval.
9. Loss of privacy for Stamford High School's boarding house in Burghley Lane from first floor bedrooms in proposed two-storey extension.
10. Noise and disturbance to Stamford High School's boarding house in Burghley Lane from proposed function room.
11. At present 77 staff and pupils of Stamford High School park in the Hotel grounds. Loss of this parking would exacerbate already severe parking around the school, especially in Burghley Lane and Park Lane.
12. Flawed evidence base for traffic survey. Traffic survey undertaken out of school term time. It should have been undertaken during school term.
13. Close proximity of refuse bins to Stamford High School's boarding house and other residential properties in Burghley Lane will attract vermin and cause unpleasant odours.

14. Proposal will have a direct and adverse financial impact on the operation of Stamford Endowed Schools.
15. Hotel to be expanded but on-site parking reduced. Insufficient parking spaces are proposed.
16. Overdevelopment of the site.
17. Adverse impact on highway safety.
18. Adverse impact on natural environment.
19. Adverse impact on Setting of listed buildings and Conservation Area.
20. Proposal in conflict with development plan policies and government policy advice and guidance.
21. Proposed alterations and extensions not in-keeping with existing buildings.
22. Additions and alterations to existing building devalues or destroys the important southern entry to Stamford.
23. Loss of trees.
24. Given recent consent for hotel on North Street, question whether proposal is commercially viable.
25. Approval of the proposed development will prejudice options for a future Stamford Relief Road and prejudice the feasibility study to which LCC has committed itself. (See LCC comment on this issue above)

Comments on amended plans :

1. Do not address concerns relating to parking. Proposal increases number of bedrooms but reduce the number of parking spaces.
2. Pleased to see issues raised about using Burghley Lane for deliveries have been addressed.
3. Most of privacy concerns relating to School Boarding House have been resolved but late night noise and disturbance concerns remain.
4. Increased noise and disturbance from extended facilities not addressed.
5. Proposed bathroom window in room directly opposite 1 Burghley Lane should be obscure glazed.
6. Loss of privacy to Burghley Lane properties from two storey building.

7. Close proximity of refuse bins to Stamford High School's boarding house and other residential properties in Burghley Lane will attract vermin and cause unpleasant odours.
8. Noise and disturbance from boiler/plant rooms.
9. 'Residents Parking Zone' should be created for the area to protect local residents.
10. Highway safety concerns remain.
11. Local hotels run occupancy rates in the 70 percentile range (except for The George).
12. Hotel trade is finely balanced business and Stamford Hotels have spare capacity.

In addition to the above, the existing tenant of the Hotel has made detailed representations of various aspects of the proposal. Besides raising the same issues as those stated above, he has submitted rebuttals to some of the supporting documents and the Need study commissioned by the Council.

The tenant's representations can be summarised as follows:

The Need Assessment by TRI on behalf of SKDC

- Poor selection of examples of companies and Organisations by TRI. Put at risk validity of report.
- Report does not take into consideration current adverse economic condition of the Country. Demand for hotel accommodation has fallen dramatically worldwide.
- Accommodation volumes in Stamford are not commensurate with those stated in TRI report.
- "Findings should be regarded as valid for a limited period". How limited is this period ?
- One of largest procurer of accommodation on Stamford is not on the list.
- None of High Street companies, banks and foodstores have been consulted.

Of 18 examples, 5 are bona fide, 3 have relationship with applicant, 8 do not use hotels and 3 are small companies or one-man consultancies. Are these a representative example of corporate accommodation users in Stamford

- Majority of companies would not use high-priced accommodation proposed by the development being very price conscious.

- Several companies with close relationship to the applicants were consulted. Why does report not take account of Barnsdale Lodge, Barnsdale Country Club Hotel, The Ram Jam Inn and the Greetham Valley Golf Club, nor hotels in Peterborough.
- Original report prepared on behalf of applicant stated that there is no market justification for expanding the total supply of hotel bedrooms in the Town.
- Report fails to take into consideration that a hotel can be unique (The George Hotel).
- Hotel has policy of not being available for leisure breaks because culture of quiet weekend breaks clashes with noisy private functions and weddings.
- Rebut statement that Lady Anne's is tired. In spite of uncertainty £106,625 in last 5 years.
- Consultants have failed in their statistical tests.
- All hotels in Stamford have their own marketing brand and seek business from a mix of businesses.
- Consultants report is sloppy and should not be considered in this planning application.
- If report is used as proof that Stamford is in need of increasing Hotel Rooms then it will be challenged.
- The tenant has submitted a critique of the statistical basis of the Report commissioned by the District Council.

The Parking Demand Management Plan

- Empirical evidence confirms that 75 car parking spaces will be inadequate on grounds of "Highway Safety and Capacity". Present hotel has capacity for 115 cars.
- The Assessment failed to count cars after 7pm therefore large percentage of car journeys were ignored.
- The Assessment car journey counting to the existing hotel are selective.
- When deliveries take place car parking will be reduced by vehicles needing more space to turn.
- LCC Highways have not considered their formula of square metres calculations that produces the number of parking spaces. The Highway have not studied any empirical evidence provided or studied the Traffic Assessment to discover anomalies.
- Not having a large enough car park will put at risk highway safety of the surrounding area.

- Transport Assessment consistently refuses to take account of the displacement of up to 77 cars using the car park.
- Endowed School use the hotel car park.
- During school term all available roadside parking is taken up.
- Cars from Garden House Hotel functions overflow onto the road.
- On Stamford AFC match days road parking is full.
- There have been recent accidents in the vicinity of the hotel.
- Traffic Safety Partnership currently carrying out investigation into safety of the area.
- Burghley House Preservation Trust letter of December 2008 confirms shortage of parking in this area.
- No Traffic Impact Assessment provided – where would 77 cars go ? 219 cars will be chasing 75 spaces.
- If LCC have not considered the relevant salient and empirical evidence then, their conclusions are incorrect.
- Site surveys not accurate. One day survey cannot provide an 'average'.
- The average occupancy rate does not describe the restaurant, conferences or banqueting which need a large amount of parking. It is important that they are considered in any overall provision.
- Lady Anne's occupancy rate is 75%, not everyday. Monday, Tuesday, Wednesday and Thursday are full, Saturday is full and Fridays and Sundays are the least successful nights that overall give a 75% occupancy rate.
- Walking, public transport and cycling are not modes of transport available to the hotel user in Stamford as there is no public transport to fit the required use of the hotel. 58.1% of customers would have to use other forms of transport, is that sustainable.
- Approach to sustainable travel is accepted and serious attempt to prevent car journeys to hotel should be in place. That is why current sq.m. calculations state that all conference attendees must share at 5 people to a car. This guideline recommendation produces a car capacity figure from 1.81 to 2.41 per person per car.
- 48 Regular deliveries per week at present. New hotel will be double that.
- The 4.5m entrance : Why has County Council not confirmed minimum 6 metres width recommended in LCC guidance and all UK Highway Authorities.

- Visibility on leaving car park not large enough at peak times. Cars often park on either side of entrance.
- Evidence provided by Assessment confirms that the projected car park of 75 spaces put at risk the Highways Safety and capacity to the residents and school children in St Martin's

Site History

The buildings comprising the current hotel were originally constructed as individual dwellings.

Some of the buildings were occupied for a number years by Stamford School. The current use as a hotel dates from the

Applications relating to the application property in recent years have related to works to the existing hotel and a marquee in the grounds.

Policy Considerations

PPG15 – Planning and the Historic Environment

PPG13 – Transport

PPS1 - Delivering Sustainable Development

PPS6 - Planning for Town Centres

PPS23 – Planning and Pollution Control

PPG16 – Archaeology and Planning

Good Practice Guide on Planning for Tourism (DCLG)

East Midlands Regional Plan

Policy 2 – Promoting Better Design

Policy 27 - Regional Priorities for the Historic Environment

The historic environment should be understood, conserved and enhanced, in recognition of its own intrinsic value, and its contribution to the Region's quality of life.

Across the Region and particularly in areas where growth or regeneration is a priority, development should promote sensitive change of the historic environment. To achieve this, Local Planning Authorities should:

- identify and assess the significance of specific historic assets and their settings; use characterization to understand their contribution to the landscape or townscape in areas of change;
- encourage the refurbishment and re-use of disused or under-used buildings of some historic or architectural merit and incorporating them sensitively into regeneration schemes;
- promote the use of local building materials; and
- recognize the opportunities for enhancing existing tourism attractions and for developing the potential of other areas and sites of historic interest as part of Green Infrastructure, having regard to potential impacts on biodiversity.

Saved Policies of the South Kesteven Local Plan

Policy EN1 – Protection and Enhancement of the Environment

The visual quality and amenity of the built and countryside environments of the plan area will be conserved and enhanced. Development proposals should :

- Incorporate appropriate landscaping and tree planting where appropriate;
- Conserve and enhance, wherever possible, woodland, trees, hedgerows, wetland and other wildlife habitats, watercourses and other natural features, know archaeological site and features of heritage significance;
- In respect of buildings, reflect the general character of the area through layout, siting, design and materials;
- Not intrude into the setting of important buildings, landscape features or prominent views;
- Where appropriate, help to achieve the improvement of derelict, degraded and underused land;
- Be located where the highway system can adequately and safely accommodate the volume and nature of traffic likely to be generated or incorporate suitable proposals for all necessary improvements; and
- Avoid pollution of their surroundings by noise, toxic or offensive odour or by release of waste products.

Policy T3 – In considering proposals for development the District Council will normally require non-operational parking space to be provided of a standard appropriate to the particular land use proposed.

Policy EN6 – Open Areas Important to the Character and Setting of Built-up Areas.

Applicants Submissions

The application is accompanied by the following documents :

Planning Statement - Includes the following :

Design and Access statement

Landscape Assessment

Policy Assessment.

Archaeological Desk-Based Assessment

The objectives of the desk-based assessment were to provide for the identification of areas of archaeological potential within the site, to consider the site within its wider archaeological context and to describe the likely extent, nature, condition, importance and potential state of preservation of the archaeology.

An Historic Building Recording

- To compile a comprehensive and high quality record of the buildings proposed for conversion/refurbishment and extension, with analysis and interpretation of those structures in conjunction with an associated documentary survey. This should be adequately detailed to place the findings of the recording in context and to inform future conservation decisions and the subsequent management of the structures. Existing plans will be verified, and will as far as possible form the baseline survey, to be added to as necessary.
- To provide a review of the local and regional historical context of the structures, making reference to the appropriate regional research agendas.
- To produce a high quality, fully integrated archive suitable for long-term deposition in order to 'preserve by record' the buildings in their current form prior to alteration.
- To include an appraisal of the development's impact on the structures and recommend the need for any further mitigation.

Arboricultural Implications Assessment

Assess the implications of the proposed development on trees within the set and sets out recommendations for the retention and replacement of trees and the means of protecting retained trees during the development period.

Protected Species Survey

The survey was required to establish the presence of any Protected Species within the application site and the impact the proposed development is likely to have on any species present.

Transport Assessment

Assess the following :

Proposed development and site access arrangements

Sustainable Transport

Traffic Impact

Car parking Provision

Parking Demand Management Plan

Sets out the measures that should be taken by the hotel operator to maximise the use of non-car modes of travel.

A Need/Impact Assessment

This covered the following matters :

The offer and viability of the existing hotel.

The rationale for the redevelopment proposals and their effect on the future of the hotel.

How the proposals will fit within the choice of hotels in Stamford.

The extent, if any, to which the proposals will impact upon the vitality and viability of existing facilities within the town centre.

Key Issues

The impact of the proposals on the character and appearance of the listed buildings and the Conservation Area

Highway safety

Ecology

Residential amenity

Trees

Sustainability

Need

Tourism

Archaeology

Officer Evaluation

Policy Considerations - Central Government guidance contained within Planning Policy Statements PPS1 and PPS6, and Planning Policy Guidance Notes PPG15, 16 and 21 are all relevant to this application.

The general thrust of the guidance contained in these documents, insofar as being relevant to this proposal, seek as follows :

- encourage good quality development, in terms of buildings and spaces;
- ensure that proposals for development meet the Government's objectives for sustainable development;
- ensure that local distinctiveness is respected in new development proposals;
- ensure that development in Conservation Areas does not harm the character and appearance of the area;
- ensure that archaeological remains are recorded;
- ensure that new development does not adversely affect key town centre uses; and
- encourage appropriate tourism-related development.

Under Section 66 of the Planning (Listed Buildings and Conservation Area) Act. 1990, the Planning Authority or Secretary of State are required, when considering whether to grant planning permission for development that affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 of the 1990 Act requires that in making planning decisions, special attention should be paid to the desirability of preserving or enhancing the character or appearance of that area.

These two Sections of the Act form the basis of the development plan policy framework for the Historic Environment and it is essential that a decision maker has regard to their requirements when deciding whether to grant or refuse planning permission.

Landscape Issues

The site lies within an area designated under the 'Saved' Policy EN6 of the Local Plan as being important to the character and setting of the built-up area of Stamford and as such it is an area where planning permission would not be forthcoming for development which would destroy or adversely affect the open character the area.

It is considered by your Officers that the proposed development will not be contrary to this aims of this policy. It is tourism-related, and sensitive in terms of scale and character to the location.

The loss of trees is kept to a minimum, the site will retain its enclosed character within the landscape, in particular the streetscene of the important southern approach to the town. By keeping the extension in the garden to single-storey, the open character of the southern part of the site covered by the EN6 designation will be maintained.

The creation of the new landscaped garden will not fundamentally affect the openness when viewed from St Martins.

It is concluded, therefore, that the application accords with planning policy on landscape grounds, with no material considerations that outweigh this conclusion.

Highway Issues

It will have been noted from the representations received that concern has expressed about Burghley Lane being used for servicing the extended hotel. Although this was proposed when the application was originally submitted, under the amended proposals service vehicles would use only the main entrance off High Street. The recommendation includes a condition (12) prohibiting the use of the Burghley Lane access for servicing.

Many third parties raise concern about the implications of the development for highway safety and congestion arising from the proposed development and much evidence has been submitted illustrating existing parking problems in the area. However, the Highway Authority have closely scrutinised the proposal and are satisfied that, subject to conditions, that the proposed on-site parking and servicing arrangements for the development are acceptable and will not compromise highway safety.

Staff and pupils of Stamford Girls School currently use the hotel car park and these will be displaced on to the surrounding road network if the development is approved. However, the hotel cannot be expected to provide parking for other than its own requirements.

Amenity Issues

Concerns have also been expressed about the potential loss of privacy for Stamford School's Boarding House on Burghley Lane from the bedrooms in the proposed two-storey extension. The applicant's have responded to this concern by proposing that a row of 11 no. Silver Birch trees along the common boundary (condition 11).

Tourism Issues

Central Government planning guidance is contained in DCLG's Good Practice Guide on Planning For Tourism. The relevant sections of this document are as follows :

“Introduction

5.1 This section examines some of the key planning issues which may arise in considering proposals for individual tourism developments. The enormous variety of tourism developments mean that the planning considerations will always vary on a case by case basis. However, the following will apply to most developments:

- where the development is located – developments need to be located where they are accessible to visitors (and for many, but not all developments, by means other than just by private car) and where they do not have an adverse impact upon sensitive environments;
- how they are designed – developments should be attractive to users, they need to work well in functional terms and they need to use natural resources in an efficient manner; and
- how they fit into their surroundings – developments need to respect their environs and complement them rather than detract from them. They should be designed to have a positive impact upon landscape, the historical setting and upon ecology.”

“Design and sustainability

5.6 Good design is important for tourism because:

- tourism is essentially a commercial activity and its success will depend upon how attractive it is to visitors;
- in areas with many tourist attractions, it is important that each attraction is perceived as contributing to the overall experience; and
- wherever tourist proposals are to be situated, it is important that they complement and improve the wider built and natural environment.

5.7 Good design is also a key element in achieving development which is sustainable and will contribute positively towards making places better for people. Developments that are well-designed will be more successful. They will last longer and be more liked. As such they will contribute more to the people who live near or visit them and to the surrounding area as a whole. Further material on design issues can be found in PPS1.

5.8 Two important aspects of design will be layout and accessibility. Developments that are easy to reach, easy to get around and easy to use are likely to be successful in attracting visitors in the first place and in encouraging them to return. This in turn will assist their commercial success. The details of design are particularly important for tourism because, by definition, visitors are often unfamiliar with the building and its environs. In order to be accessible and used by a wide range of people, tourism developments should be designed to be:

- physically accessible, including to people with impaired mobility and to people with other disabilities such as impaired sight or hearing;
- socially inclusive, facilitating use by all sectors of the community;
- a positive contribution to the host community;
- safe and healthy; and
- attractive.

5.9 The careful design of buildings can also make them more sustainable by reducing carbon emissions resulting from their construction and operation. Good energy conservation and using renewable technologies such as wind power and solar gain can reduce the energy needs of buildings and operating costs, whilst improving their sustainability. An important contribution to sustainability can also be made by the selection and use of appropriate materials. Materials from local sources will have less 'embodied energy' (ie less fossil fuels will have been taken up transporting and perhaps processing them).

Locally-sourced material will also provide local jobs, thus strengthening and diversifying the local economy, and making it more likely that the final development will fit well with the local environment.”

“Modernisation and Extensions

Similarly, moderate-sized extensions to an existing hotel or public house, including the addition of bedroom accommodation, can help to ensure the future viability of such businesses. This may satisfy a local need as well as a tourism one, by fully utilising the potential of the site but without any disproportionate increase in scale. In all cases, careful consideration should be given to ensure that the size of the extension proposed is not disproportionate for the location concerned.”

“CAR PARKING

Maximum car parking standards for hotel and serviced accommodation may be included in development plans. Where such standards are not included in plans, planning authorities will need to consider what are appropriate levels of parking, based on the market which the hotel serves, its location and availability of public transport facilities. In addition, for those hotels where a substantial part of the parking needs are attributable to public rooms used mainly for functions which attract non-residents, then the availability of public parking in the vicinity of the hotel will also need to be taken into account.

Planning authorities should also take account of the proposed arrangements for service loading and unloading and setting down space for visitors. Organised tours demand adequate loading and unloading facilities for coaches. Access and waiting areas should be designed with this in mind. Access points should be sited so as to minimise turning

movements across traffic and to avoid congestion of the highway caused by vehicles queuing to pick up or drop passengers. Developers should discuss proposed access arrangements with the highway authority at the earliest possible stage.”

The proposed development has been designed to complement the sensitive environment and be proportionate to the location. It would be functional and attractive to users and incorporate sustainable development principles and use predominantly natural materials for the external finishes. The Highway Authority have considered the parking and access arrangements in relation to the hotel's location and availability of public transport facilities and have found them to be acceptable.

PPS6 Issues

Further guidance on such development as that proposed by this application is contained within PPS6 (Planning for Town Centres) :

“Applications for the extension of existing development in edge-of-centre and out-of-centre locations may raise specific issues. The impact on existing town centres of the proposed extension should be given particular weight, especially if new and additional classes of goods or services for sale are proposed. In addition, where establishing need is concerned, local planning authorities should establish that the evidence presented on the need for further floorspace relates specifically to the class of goods proposed to be sold. The sequential approach is only a relevant consideration in relation to extensions where the gross floor space of the proposed extension exceeds 200 square metres. This policy relates to development which creates additional floorspace, including proposals for internal.”

In order to confirm the need for the proposed development, the Authority commissioned its own study from specialist consultants. The Conclusions of that study, which were formally submitted in September last year, are as follows :

“In analysing the Stamford town centre hotel market, we have reached the following conclusions:

- The strong occupancy levels currently being achieved at hotels within Stamford clearly illustrate the buoyancy of the hotel market. With the hotels filling during peak midweek demand periods throughout the year, we consider an opportunity exists for additional hotel supply and believe that the proposed extension to the Lady Anne's Hotel, St. Martin's Stamford will be able to fully capitalise on these high demand levels.
- Due to the high proportion of business-related demand generated by companies in the wider Stamford region, the majority of accommodation demand is concentrated over the midweek period. Given the volumes of displaced demand in the Stamford hotel market, we do not expect the proposed extension to the Lady Anne's Hotel to have a major impact on midweek occupancy levels at existing hotels in the market. Furthermore, we consider that the Stamford midweek hotel occupancy levels are approaching full capacity, with our projected market fair share reaching an unconstrained occupancy of over 100 per cent by 2010 onwards.

- We project that the average annual occupancy for the Stamford hotel market, currently at approximately 78% in the 12 months to December 2007, would recover within one percentage point of current occupancy levels by 2013 (approximately 77 per cent). Furthermore, the proposed extension and refurbishment would significantly increase the quality of the hotel provision.
- Judging by the historic and current performance of hotels in Stamford and the feedback received by local companies located in the surrounding area, the planned scale of the proposed 24 bedroom extension to the Lady Anne's Hotel, which is exceptionally dated and tired, as well as the clear preference by business related demand towards higher quality hotels, we consider that the proposed extension to the Lady Anne's Hotel will provide a much needed and improved hotel offer. We therefore concur with the proposals to develop the 24 bedroom extension to the Lady Anne's Hotel.
- The development of the proposed extension to Lady Anne's Hotel is likely to have a positive impact on the local economy , through the creation of 17 full-time equivalent jobs, as well as the wider spin-off benefits as guests contribute not only to hotel revenue but also to local facilities in Stamford such as shops, restaurants and transport services. It will also assist in the desire to maintain and enhance the perception of Stamford as a tourist destination and a centre for further commercial.
- The proposed 24-bedroom extension to the Lady Anne's Hotel, developed to a high quality standard and including a comprehensive refurbishment of the property, would attract displaced demand back into Stamford, by virtue of its town centre location and substantially improved hotel offer. By accommodating this additional demand in Stamford, the town centre will benefit from all economic spend generated by these additional visitors.
- The development of the Lady Anne's Hotel into a quality modern hotel following the proposed 24-bedroom extension will complement the current hotel supply through the provision of high quality facilities in line with the George of Stamford Hotel and the Crown Hotel.
- Given the characteristics of hotel demand and supply in the area, we believe that a 24-bedroom extension to the lady Anne's Hotel with refurbished ancillary facilities will provide local companies with much needed accommodation at an appropriate price positioning. On the basis of our research, we conclude, that in our opinion, the proposed extension to the Lady Anne's Hotel will not have a detrimental impact on the Stamford Hotel Market in the medium term.

The tenant has queried some elements of the Council's Need Report and these have been taken up with the Consultants. Their response is as follows:

Response to an Undated Rebuttal Prepared by Mr G W Hastings

As instructed by you, on behalf of South Kesteven District Council, in your email dated 19 May 2009, we present our view on the Rebuttal of the Need Case, prepared by Mr G W Hastings.

The Rebuttal of the Need Case comprises 138 separate points; however, it was not possible to respond on a point-by-point basis as many were not relevant to our original report.

In this position paper we provide a list of Mr G Hastings' principal issues with our own response, as well as a list of key points supporting our methodology, analysis and figures.

1. BACKGROUND

In August 2008, TRI Hospitality Consulting visited Stamford to conduct an independent assessment of the need for additional hotel accommodation in the town.

TRI Hospitality Consulting conducted an objective assessment of the need for additional hotel accommodation in Stamford, which has been prepared on an independent basis derived from detailed and robust research and analysis.

The information contained in our original report is based on our discussions with hotel managers and representatives of South Kesteven District Council, as well as on information gathered during the course of our desk and field-based research into the demand and supply characteristics of the Stamford hotel market.

The original report focused on the need for additional hotel accommodation in Stamford and on the appropriateness of an extension to the Lady Anne's Hotel to meet that need.

2. REBUTTAL OF THE NEED CASE – KEY POINTS

In order to address Mr G Hastings' Rebuttal of the Need Case, we have grouped the key issues under ten principal headings. We note that throughout Mr Hastings' Rebuttal comments are made relating to other reports and documents which do not provide any material for the purposes of Rebuttal of the TRI report. We have set these aside and attempted to marshal the somewhat random approach adopted by Mr Hastings into components which we can address. The following points summarise the key components of Mr G Hastings' report.

2.1 The Influence of Burghley

Mr Hastings' report questions the impartial nature of the TRI report due to the companies contacted who have an involvement with the Burghley Estate, in particular Burghley House.

2.2 Companies and Organisations Contacted

Mr Hastings report claims that the companies contacted within the TRI report do not provide a representative samples of companies in Stamford, in particular he fails to grasp why TRI did not contact hotel procurement agencies and high-street companies.

2.3 Timing of the Report

Mr Hastings' draws attention to the fact that the TRI report states that it should be regarded as valid for a limited period of time.

The TRI report does not take into account the current global recession, emphasising that it is the worse since the 1930's. Furthermore, the TRI report does not take into account the downturn in local hotel performance between December 2008 and February 2009.

2.4 Identified Hotels

Mr Hastings' report states that the TRI report excludes certain hotels that he would consider relevant and includes one hotel that he would not consider relevant.

The report by Mr Hastings highlights that we have not considered/reviewed the Peterborough hotel market.

2.5 Corporate Demand

Mr Hastings requires confirmation of our definition of corporate demand.

2.6 Displaced Demand

Mr Hastings fails to grasp our methodology used to calculate displaced demand.

2.7 Lady Anne's Hotel

The report by Mr Hastings highlights that the Lady Anne's Hotel currently has 27 bedrooms, is a two-star rated property and does not charge weekend rates of £129.00.

2.8 Tired Assessment

Mr Hastings' report vehemently disputes the claims within the TRI report that the Lady Anne's Hotel is tired, based on the money spent on the property in recent years. Mr Hastings notes that he had not been able to invest a further £200,000 due to the uncertain demand, a point that the TRI report does not take into account.

2.9 Unique Hotel Demand

Mr Hastings claims within his report that each of the four hotels within Stamford benefit from individual and specific qualities and, therefore, each hotel target a unique market of accommodation demand. As a result, the four hotels do not compete with each other in terms of hotel demand, a point that the TRI report does not take into account.

2.10 Statistical Analysis

Mr Tily's separate addendum report claims that TRI have failed in their statistical tests to assess the Stamford hotel market.

3. TRI RESPONSE – KEY POINTS EXPLAINED

From Mr Hastings' report, the following points respond to the key issues:

3.1 The Influence of Burghley

TRI Hospitality Consulting can confirm that no meeting took place with Burghley House, or indeed any representative of the Burghley Estate.

Burghley House is included within our table of "companies contacted and/or researched" as we contacted the events department via email to confirm its meeting room capacities. We consider that confirming the capacity of the meeting rooms within Burghley House to be vital in understanding the possibility of the conference facilities generating roomnight demand and, therefore, we consider our research to be both appropriate and reasonable. We do not consider Burghley Estate to be a key element to our research; consequently Mr Hastings places undue emphasis on this issue in his rebuttal.

3.2 Companies and Organisations Contacted

As is customary with a report of this nature, we held discussions with hotel operators in Stamford in order to determine the characteristics of hotel accommodation demand in the area. Companies that were highlighted by local hoteliers as the major demand generators were contacted directly to understand their requirement for hotel accommodation.

In attempting to source data from hotel procurement agencies we are always advised to contact the respective company directly as data is not available to third parties due to issues of confidentiality. We therefore consider that our methodology and approach in sourcing and contacting directly the major corporate demand generators of hotel accommodation to be appropriate. Furthermore, we consider this to be representative of the major demand generators in Stamford.

High-street companies are not typically major generators of accommodation demand. Their demand if and when it occurs is ordinarily ad hoc and infrequent. Head Office visits are limited by the fact that multiple retailers operate with area managers who are able to return home overnight; occasional visits by, for example, training officers, auditors etc are so infrequent as to be negligible. In our research high-street stores are never sited as sources of accommodation demand.

We obtained a list of local companies via the Stamford online website and sent an email to all those with an email address. In the interests of neutrality and to maintain the independent nature of the report, we did not make individual company selections (i.e. including/excluding certain companies that may or may not have any association with either the Lady Anne's Hotel, South Kesteven District Council or the

Burghley Estate) and, therefore, we consider that our research methodology is both objective and appropriate.

The heading to the table on page three of the original TRI report states that it is “companies and organisations contacted and/or researched”. We do not claim to have held meeting with all the companies/organisations listed.

The companies within our table of “companies and/or researched” that are not considered major accommodation demand generators have been included due to them completing our email survey.

We can confirm that meetings were conducted with all four hotels within Stamford in August 2008.

3.3 Timing of the Report

As the research for our report was conducted in August 2008, we do not consider it reasonable to expect the TRI report to take into account the impact of events that have occurred subsequent to the report being written, such as the credit crunch, the UK recession and the local hotel market performance between December 2008 and February 2009. We maintain that our report is valid for a limited period and both representative of the Stamford hotel market and accurate at the time of writing.

3.4 Identified Hotels

As is customary with reports of this nature, the hotel supply included within our original report is based upon desk-based research as well as hotels highlighted during our discussions with local hoteliers and representatives of companies located in Stamford and the surrounding area.

The TRI report does not take into account any additional hotel demand that is displaced to Stamford from Peterborough. During our independent research conducted in August 2008, Stamford hoteliers (including Mr Hastings) provided no evidence of demand being displaced from Peterborough to Stamford.

3.5 Corporate Demand

As is typical with hotel market assessments, we define “corporate” demand within our report as being any accommodation requirement that is generated by business-related demand segments. This definition includes bookings made by individuals who are in the town on company-related issues (and including client, supplier and other business meetings and activities), as well as accommodation demand booked directly through a procurement agency.

3.6 Displaced Demand

There is clear evidence of displaced demand presented in our report both as a result of detailed interviews with hoteliers and with demand generators. This is contained within Section 3.4.2 of our report. We do not consider that Mr Hastings’ analysis presents a robust methodology.

3.7 Lady Anne's Hotel

Information regarding the Lady Anne's hotel was based on web-based resources. The proposed extension of the hotel to 50 bedrooms is the key figure and is accurate within the report.

Mr Hastings questions the credibility of our report due to a minor disparity in the 2008 number of bedrooms, star-rating and weekend rates. We dismiss his claim as changes of this nature would not have any impact to the conclusions of the report. The rationale and methodology presented in our report is robust.

3.8 Tired Assessment

The TRI assessment that the condition of the Lady Annes' Hotel is "tired" is based on discussions held with representatives of companies located in Stamford and the surrounding area and further evidenced b the respondents to our email survey (see section 4.3 in our original report), as well s our opinion as experienced and qualified experts in the hotel industry.

3.9 Unique Hotel Demand

Mr Hastings' report states that each hotel within Stamford targets a different accommodation market and, therefore, the properties do not compete with each other in terms of hotel demand. This is nonsense: despite the hotels having individual characteristics, hotel market modelling is based on the assumption that a hotel attracts roomnight demand in direct proportion to its market share of the total relevant competitive room supply, taking into account that a hotel will trade above, in line or below that level based on such factors as location, brand, age, facilities, management etc.

The rationale presented in our report to consider the overall Stamford hotel market is based on robust research, an appropriate methodology and our significant experience of provincial UK hotel markets.

3.10 Statistical Analysis

TRI were commissioned as independent experts in the hotels sector based on our extensive experience, as well as our proprietary HotStats database that tracks the monthly trading performance of hotels across the UK.

We note that Mr Tily does not have any hotel related qualifications and does not raise any valid comment or criticism of our approach, his critique having been based on an evident lack of understanding of hotel markets and their operational performance.

We trust that this letter addresses the various points raised. If there are any questions, please do not hesitate to contact us.

If Members are minded to grant consent for the proposals, the application will be referred to the Government Office for the East Midlands in order for the Secretary of State to consider whether the application should be referred to him for a decision.

Crime and Disorder Implications

It is considered that the proposed development would not give rise to any significant Crime and Disorder Issues.

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 that act will be breached.

The following information was included in the Late Items Papers for the 2 June meeting.

1. *In support of the Case Officer comment in his report on the listed building application that the strength of English Heritage's concerns as stated in their formal comments (see above) did not appear to be expressed so forcefully at the pre-submission meetings. To support this impression, the applicant's agent has provided copies of pre-submission correspondence and drawings. The District Council were not always represented at the meetings referred to.*

These letters tend to confirm that English Heritage were not averse to all aspects of the proposal.

Extract of undated 2004 letter from EH to SKDC:

"While we would not advise you to rule out development of the garden land altogether as residential development, it is difficult to envisage how this could be achieved to the extent shown, particularly as it is unlikely that anything over single storey height would be able to resolve the problem of visual impact."

(Extract of letter from EH on 20 December 2004 to Paul Bancroft Architects commenting on design for single storey garden wing and two-storey extension):

"The revised design for the garden building has addressed many of the concerns we expressed at our meeting, and could represent an enhancement of the area that is presently a car park, however, there was no elevational drawing of the rear wall supplied. The design of this was a significant issue, and without information a full response is not possible in respect of this aspect of the scheme. We would advise however that if it is to appear, as suggested at our meeting, as a garden wall, then it should be precisely detailed as one.

At our meeting I advised that an approach that resulted in the wedding suite appearing as a vernacular outbuilding would reduce its impact. The amendments made so far go a long way towards achieving this, but designs still use formal elements that militate against it being read as a subsidiary building. We therefore advise that the parapet and lead roof as substituted for conventional eaves and a slate roof, and that the modern porch is omitted.”

Extract of letter from EH dated 19 January 2015 to P Bancroft (Architect):

“Thank you for your letter of the 29 December, and the illustrative material showing the proposed amended scheme. We endorse the approach you have taken so far to the pre-application discussions, and hopefully the comments we have provided to date will help to proceed to the application stage.

We regret that we cannot, however, for resource reasons, provide substantive comments at every phase of the design process, but trust that the issues we have raised can be addressed through discussions with South Kesteven District Council planning officers and the conservation specialists.”

Comment:

It is your Officer’s opinion that some but not all of English Heritage’s concerns, as expressed in pre-submission correspondence with the applicants Architect have been satisfactorily addressed in the scheme now under formal consideration.

2. The following report is a copy of the Highway Authority’s response (dated 8 July 2008) to a complaint by a third party objector about their response to the planning application under consideration:

1. PURPOSE OF REPORT

To review the Highway Authority’s response to the above planning application.

2. ISSUES

The Transport Statement (TS) carried out by John Allen Consultants and dated October 2006 accompanying the application contains some descriptive inaccuracies, which are misleading, relating to existing pedestrian crossing facilities. These can, however, be taken into account and rectified at the level of minor alterations to the descriptive text. The technical aspects of the TS, nevertheless, have been carried out in line with the County Council’s guidance set out in “Development Guide on Transport and New Development Issues in Lincolnshire “.

The hotel owner, however, has provided alternative data and information based on current usage illustrating that peak vehicle numbers cannot be wholly accommodated on the site now and pointing out that the proposed development will have fewer parking spaces. He also raises questions about the adequacy of the access and service vehicle deliveries. There is also an informal arrangement for the

dropping-off and picking-up of school children from the hotel car park. He further questions the selection of count days used in the TS.

3. ACCESS CONSIDERATIONS

The access width has been requested to be 4.5m. Bearing in mind this is to cater for service delivery vehicles as well as cars, it would be more convenient if it were to be widened to, say, 6m, but even then a lot would depend upon how vehicles were to be positioned within it. A delivery vehicle would probably still skew itself sometimes across more than half of the access, depending upon its exact angle of approach, whereas two cars would be able to pass more easily. It is not known how “sacrosanct” the wall is either side of the access in planning terms and whether widening would be an issue from an aesthetic point of view. There is, however, no history of Personal Injury Accidents (PIAs) at this junction, indicating that it appears to be being used with due care and attention and that there is nothing to suggest that the level of increased usage would be anything more than a matter of inconvenience rather than a safety issue.

4. SERVICE VEHICLES

From the information supplied by the hotel owner, this will clearly need to be operationally managed by the hotel as part of the new development. Adequate space needs to be maintained on site for a service vehicle to load/off-load and turn. A minor redesign of car parking/garden amenity area should be able to accommodate this. An area could be coned off for an additional service vehicle to wait on site at off-peak times, but it would be unreasonable to expect waiting space on site for several delivery vehicles. If this is a recurring event, it needs to be managed properly by the hotel in conjunction with its suppliers rather than being viewed as an insurmountable problem.

5. USE OF CAR PARK TO DROP-OFF AND COLLECT SCHOOL CHILDREN

This appears to be an informal arrangement and as such could be terminated at any time, with or without the development taking place. Whilst it is something that would need careful consideration by all parties involved if the informal arrangements were to be terminated, it is not addressed here as it is not something unique to the proposed development.

6. SELECTION OF SURVEY DAYS

The counting of the existing situation has been done on a typical weekday and a typical weekend day. This is done for comparison purposes to give a descriptive context to what is predicted to be generated by the new development. The days selected for such purposes do not need to be the actual peak in each case, so long as they are typical of week day/weekend activity. The prediction of what the combination of the existing and new uses comprising the new development will generate in vehicular terms (for both existing buildings and new build) is arrived at by use of the national TRICS trip generation and analysis database in accordance

with local and national guidelines, rather than calculations based on the existing site hotel use.

7. CAR PARKING PROVISION

National guidance is to not over provide for car parking demand. The proposed 75 spaces is in accordance with both national and local guidance in terms of maximum provision. In the light of this, it is unlikely that any refusal on the grounds of insufficient parking capacity would fare well at a planning appeal, i.e. catering for peak conditions by simply increasing car parking capacity beyond the maximum standard is considered to be unsustainable.

An appropriate way of addressing this issue would be for the hotel to produce a Demand Management Plan for key events (or events that overlap) that are to take place on site and which could be expected to take up more than the 75 spaces. Whilst most hotels provide information on bus services, train timetables and taxis etc along with public car park and on-street parking availability, this needs to be taken beyond just having them freely available to hotel users.

A Demand Management Plan would need to positively address how such events would be pro-actively catered for in advance to ensure minimum wasted private vehicle movements to and from the site and at the same time promoting maximum opportunity for utilising other modes of transport.

8. CONCLUSIONS

All of the issues raised above are about managing the proposed hotel complex in a pro-active manner so as to minimise the impact on the surrounding road network. There is no reason why a Demand Management Plan could not be used to pro-actively plan and manage the main functions (e.g. conferences, receptions, promotion events, room letting etc) in the context of what the hotel complex will be capable of accommodating. Advice in advance on how delegates should arrive to a conference, for example, may not be necessary if no other event is taking place, but may have to be by bus/minibus if another planned event is also being hosted. Our Travel Planning Team may well be able to help in this. A S106 undertaking with South Kesteven District Council may be feasible to give more substance to the principles involved, but this would need to be discussed with their officers. The Demand Management Plan should also include any service vehicle management provisions suggested in 4, above and the dropping-off/collecting of school children, if this is to carry on.

Comment:

Although not addressed to the District Council, this document has been included as it sets out the approach the Highway Authority have taken in assessing the impact of the proposal on the surrounding highway network and road safety.

3. *Letter from Mr Warren Hastings, Manager of The Lady Anne's Hotel:*

Dear Mr Shipman

*The Future of The Lady Anne's Hotel
Planning Ref: IVW1 S07/0720/FULL*

My name is Warren Hastings I am at present the hotel manager for The Lady Anne's Hotel. I have been working here for about 18 years. I also grew up here when I was a boy and have seen how the hotel has developed in to a successful market town hotel. The existing hotel has always been a corporate and social environment for all life styles.

I studied in business and finance and project management in construction of which I have the knowledge and understanding and business sense of the implications if this application is approved. It is bad business sense to stop trading and reopen. The risks are high especially in today's climate.

It is important to understand that updating the existing building is main priority this can be performed in economic and efficient stages without shutting the existing business. Prime example is the Haycock at Wansford which was redeveloped and continued trading.

The expansion of the proposed extensions do not need to use so much of the conservation site which has been proposed.

One module of project management in construction involved is being resourceful and efficient in construction. This application is VERY inefficient in construction regarding the existing building by knocking a wall down then rebuilding it half or one metre away, the huge amount of earth that shall be removed, is this what you call a sustainable development?

I note how many people have rejected the proposed planning application that the Applicant has submitted and that the Planning Officer has not taken into account.

I am also surprised how the Planning Officer and the position he has at SKDC can possibly advise for approval for the planning permission for the expansion for the expansion of the Lady Annes hotel a 2 star and 2 graded listed building IN THIS WAY, there are much better and sympathetic ways in doing this.

The Planning Officer has stipulated 21 conditions regarding the approval of which have been derived from numerous publication and policy documents.

How can it be approved?

*PPG15 Planning and the Historic Environment
PPG13 Transport
PPG16 Archaeology and Planning – Planning ...
PPG21 Pollution*

*PPS1 Delivering Sustainable Development
PPS6 Planning for Town Centres
PPS23 Planning and Pollution Control
PPG16 Archaeology and Planning
Good Practice on Planning & Tourism (DCLG)
East Midlands Regional Plan
Policy 2 Promoting Better Design
Policy 27 Regional Priorities for the Historic Environment
Policy EN1 Protection and Enhancement of the Environment
Policy EN6 Open areas important to the character and setting of built-up areas*

One concern is that the existing garden shall be destroyed, which is still in its original 18th century setting and be replaced with a "single storey circular bedroom complex. The units would have full height glazed screens containing proprietary refinished aluminium faced timber core element". This statement is Planning Officer's approval report page 17. IVW1.

I have read the Planning Officer's report for approval and have noted a couple of major points that I feel should be considered.

Page 23 English Heritage also state:

"Although there have been some harmful alterations (and we understand some of these remain unauthorised), the buildings remain largely intact, but marred somewhat by poor flat roofed additions"

"These extensions as a whole almost completely obliterate the existing gardens which are an important part of the setting of these buildings."

“, their sheer extent and bulk is the issue.”

"Would be harmful to the special interest and setting that construed Lady Anne's Hotel."

Pollarded Lime trees are presently growing along the High Street frontage it states in the report that if they are removed they must be replanted (page 21).

Ian Wright's recommendations point 9. Entrance width must be kept the same.

Why would the Pollarded Lime trees need to be removed?

The application site and its surroundings

Page 19. The hotel opened in 1980. The existing flat roof kitchen area was constructed when it was a boarding house in approximately 1960's this was developed and constructed by the applicant. I am unaware if the applicant was granted planning permission by SKDC? At present it is part of the busy existing kitchen.

The Cecil Banqueting suite, (proposed kitchen area), was constructed in 1985 the expansion of the building was also constructed by the applicant and gave permission by SKDC planning.

The Planning Officers report needs correcting.

Good Practice Guide on Tourism Policy 27 page 30, 31

Policy EN1 Protection and enhancement of the environment

i. Incorporate appropriate landscaping and tree planting where appropriate.

The trees and shrubs are already in situ in a Green natural environment.

iii. In respect of buildings, reflect the general character of the area through layout, siting, design and materials.

Stamford Town Council states that the site footprint shall increase 132%

v. Where appropriate, help to achieve the improvement of derelict, degraded and underused land.

The existing gardens and marquee that caters for 160 people is situated where the proposed single storey circular bedroom complex will be located.

Policy EN6 Open areas important to the character and setting of built up areas.

Officer Evaluation

Encourage good quality development in terms of buildings and spaces – Stamford Town Council states that the site footprint shall increase 132%.

Ensure that the development in Conservation Area does not harm the appearance of the area. The existing space is a green environment with flower beds, grass areas and shrubs this will be destroyed.

Amenity issues 5.1

** How they are designed developments should be attractive to users, they need to work well in functional terms and they need to use natural resources in an efficient manner.*

The high cost and energy needed to remove the huge amount of earth would not be sustainable. The demolition of certain aspects of the existing building is wasteful energy and resources.

** How they need to fit into their surroundings developments need to respect their environments and complement them rather than detract from them.*

How can a single storey circular bedroom complex. The units would have full height glazed screens containing proprietary refinished aluminium faced timber core elements be classed as complimentary in a conservation area with 2 and 2 star grade listed buildings 15-20 metres away.

The Lady Anne's house was used as a boarding house for the Girls High School. Flat roof addition were erected by the applicant. It was left empty for a period of time. The building was redeveloped in to a hotel which opening in 1980 a new 2/3 star state of the art 30 bedroom hotel which was developed by the applicant and existing tenant, at that time flat roof construction was used. 29 years on a new application for the development of The Lady Anne's Hotel a new 2/3 star state of the art 50 bedroom hotel again flat roof construction has been proposed by the applicant.

Why has the applicant always wanted to propose flat roof construction in every application since the 1960's, (of which English Heritage allege are unauthorised)?

What will happen in another 29/30 years when the applicant wants to redevelop Lady Anne's Hotel again?

How many bedrooms will they propose this time? 80-100 bedrooms, how much of this conservation green environment will they propose to obliterate.

As the applicant continuously states that their responsibility is to maximise its assets.

The Lady Anne's Hotel is coming to its 29th year of being open over those years the hotel has catered for thousands and thousands of meals and accommodated guests. Up dating the existing building would be the best plan, which in this present climate would be the best action. I also know that the Lady Anne's Hotel should be modified for the future without the DRASTIC ACTION of ripping up of the existing garden, existing trees, reduction of car parking spaces and in keeping of the present structure without the HUGE inefficient proposed application. There is a much better and subtle plan for the future of The Lady Anne's Hotel at a fraction of the £7 million pounds as suggested. Why is that mankind has to keep putting its stamp on the environment that we live in?

The following additional representations have been received from the tenant of the hotel:

TRI rebuttal of my rebuttal

1. Influence of Burghley

3.1 There were 4 enquiries in the sample of companies either family, Burghley Horse Trials and a company with close ties to Burghley House Preservation Trust (BHPT).

Will TRI make available the email questionnaire used to interrogate all of the sample companies?

I accept that Burghley House (HB) have not used us. In fact we have received bookings from organisations that are using BH facilities and mysteriously all of these

bookings get cancelled. It is well known that BH is not happy with the Hastings family because we have had the guts to stand up against them.

2. *Companies and Organisations Contacted*

3.2 *TRI have described the methodology of how they came to their conclusions they have not provided any proof of the statements and emails with the sample companies and how and why they selected all of these sole traders, companies situated 40 miles from Stamford and why a Kettering Hotel was used in the Hotel sample.*

3. *Over the past four weeks at Lady Anne's Hotel we have sold room nights to a local supermarket store.*

4. *The following stores in Stamford use the Hotel on a regular basis. Boots, Somerfields, Waitrose, Morrisons, Tarmac, Thomas Cook and the MOD they form a significant income stream to my Hotel. Should you require evidence of this I will make it available I have copies of the invoices and booking forms, please advise me if the Council requires this information.*

This disproves the information that TRI are suggesting that High Street businesses do not use hotels.

5. *I remind you of the customer base that TRI used in their sample. I refer to paragraph numbers in my need report 58 to 61, 64 to 69 all companies that are not relevant in a typical sample. It could be stated that none of them use hotel rooms in Stamford or at the most exceptionally.*

"we held discussions with hotel operators in Stamford" May I respectfully suggest that "hotel operators" advised TRI that this list of Companies 7 of the 11 advised me in a telephone cal that they do not use hotel rooms in Stamford.

Which hotel operator gave TRI this list of Clients?

Is this a typical sample?

Please can TRI confirm how this list forms a "major demand generators?"

<i>Name of Company</i>	<i>Use of Hotel Answer</i>
1. <i>Meridean Legal Systems</i>	<i>NO</i>
2. <i>Rubber Architecture</i>	<i>NO CONTACT</i>
3. <i>Barnack Country Clothes</i>	<i>NO</i>
4. <i>Stanley Daniels Eng</i>	<i>NO CONTACT</i>
5. <i>MCB Solutions</i>	<i>NO</i>
6. <i>Recrion</i>	<i>NO</i>
7. <i>Camda a company based in Cambridge</i>	<i>NO CONTACT</i>
8. <i>Charlock Child Care</i>	<i>NO</i>
9. <i>Eyebrooke Tackle Shop Mkt Harboro</i>	<i>NO</i>
10. <i>Paul Johnson</i>	<i>NO</i>
11. <i>Wilkinson Architecture</i>	<i>NO CONTACT</i>

There are possibly 5 bona fide samples out of 18 that may be considered reasonable as a choice of examples for Hotel operators to offer to TRI as sample customers.

5a. See paragraph 4 on this quotation "High Street Companies are not typically generators of accommodation demand" I consider that paragraph 4 contradicts this.

5b. "We obtained a list of local companies via the on line website and sent an email to all of those with email address. For what purpose? In the first paragraph of 3.2 it states "companies that were highlighted by local hoteliers as the major demand generators were contacted directly"

Which one is it? I can understand seeking the information from Hotel Operators that is reasonable but the list of one man companies listed in paragraph 5 is bizarre and possibly completely incorrect. The inclusion of those companies does not offer any sensible information to TRI's report.

It is reasonable to note that there are according to TRI's report only four corporate users of the two Hotels that were used in this report. If that is fact then their conclusions in this report should show that there are enough hotel rooms already in the Town.

6. The Proprietor of the Garden House categorically denies the fact that he was interviewed by TRI.

7. If TRI are as experienced as they boast they must be aware that all MOD work is booked through HRG as this company is the largest procurer of Hotel Rooms in Stamford it is relevant.

8. This agency is exceptionally price conscious and would not pay full price for rooms in any of the Hotels in Stamford.

9. With a simple telephone call to HRG then TRI could with their wealth of experience extrapolate information without bothering the data protection laws.

10. In TRI list of "major corporate demand generators" I confirm that Cummings Generators, Castle Cement, Perkins, Duncan & Toplis and Perkins are the only "major corporate demand generators" in the TRI list.

10a. 3.6 Displaced demand the calculations and statistical analysis by Mr Tily disproves that statement.

10b. 3.8 Tired Assessment "Based on discussions held with representatives of companies located in Stamford" all four of the are recognised as relevant "major demand generators" that is hardly a reasonable sample.

10c. were the same conclusions confirmed by these companies regarding the Garden House?

10b 3.9 Unique Hotel Demand. TRI is incompetent in their conclusion in this. For as long as I have been in the Hotel Industry hotels have been categorised in Star ratings.

A whole industry exists that allows for hotels to specialise in their customer base.

The George Hotel is the Market Leader in Stamford with high prices and is helped by its world brand image; it is unique.

The Crown recently refurbished is fashionable and attempts to compete with the George.

The Garden House is a Three Star Hotel that has its own charm that encourages people who require a quieter Hotel.

Lady Anne's Hotel relies on its accommodation apart from its regular corporate customer base on the function trade it is the market leader in weddings in Stamford, it is the market leader in Rotary functions, Probus functions, Cricket functions, Football dinners, Sportspersons dinners, (for example Sir Garfield Sobers, Geoffrey Boycott and Jeff Thompson are just three of the famous cricketers appearing at these dinners between June and September) Golden and Silver Weddings. From all of these functions we generate our accommodation.

Lady Anne's Hotel does not fit into the fantasy that TRI seems to insist it does.

11. Statistical Analysis. Mr Tily report. It is churlish of TRI to say that he has no Hotel experience a truly professional company would recognise that it is a mathematical calculation that is required not knowledge of the said business of hotels.

12. Part of Mr Tily's job whilst working for the MOD was to carry out a statistical study of how many fighter planes would be shot down in an attack. If you take TRI's synopsis Mr Tily might not be here now as he would have been shot down getting experience to enable him to carry out the statistical analysis.

13. Mr Tily is a statistician not a hotel inspector.

14. I am surprised that the intellect of the Lead Professional of Planning at SKDC has accepted the original report from TRI, now their rebuttal that sets out I know best without answering the salient and material points in my rebuttal.

15. It is noted that there was no comment on the Hotel Survey carried out and forwarded to the Council.

Did the Council make the Hotel Survey available to TRI?

Are the Council Officers clinging on to this flawed need report in order to tick another box on the wholly incorrect decision in the recommendation given to the Committee members?

Please do not waste any more money consulting TRI as any reasonable person will come to the same conclusion as I do, the document is flawed and has been a waste of money to the tax payer.

TRI Response to an Undated Rebuttal on Comparable Town Analysis Prepared by Mr G W Hastings:

"As instructed by you, on behalf of South Kesteven District Council, in your email dated 3 July 2009, we present our view on the rebuttal submission in respect to our Comparable Town Analysis, prepared by Mr G W Hastings.

As part of our original Need Case Assessment dated September 2008, TRI Hospitality Consulting included a Comparable Town Analysis (Section 4.2), which comprised a review of the accommodation supply with particular regard to the total hotel provision at comparable UK towns, based on residential populations.

Mr Hastings' rebuttal document states that his "... collated figures show that the Comparable Town Analysis by TIR (sic) is out of date." He does not state why the data has led him to this conclusion. We note also that Mr Hastings' collated figures included only three-star hotels and, therefore, do not take into account the full accommodation supply and total hotel provision.

We note that Mr Hastings does not present any support to his conclusions within his rebuttal document and, therefore, we refer Mr Hastings to Section 4.2 of our original Need Case Assessment (dated September 2008) since we are unable to comment on a document which presents no cogent rationale or methodology for the conclusions drawn."

Re Arboricultural Assessment

Further to the telephone conversation we had on the 8 June 2009 regarding the Applicant's Arboricultural Report presented to your office 26 February 2009.

We mentioned two matters of which should be of concern and should be brought to the attention of the Committee at their site visit on 29 July 2009.

Page 4 Paragraph 5.1 Detailed landscape plans are to be drawn up by Symphonic Gardens Ltd. Which shall include replacement planting of 11 Silver Birch to the north of the site where they mitigate the loss of groups G10 and G11? This new planting will provide a diffuse screening of the site, whilst having the benefit of allowing considerable light infiltration through the relatively open canopy of the Silver Birch to the adjacent flats and gardens previously denied by the dense canopy of the conifers that form group G10 and G11.

It is a well known fact that Silver Birch Trees lose their leaves during the winter period thus no "Privacy will be forthcoming of the neighbouring school boarding house."

As is clear from both the Plans submitted by the Applicant and the three prints enclosed in the Arboricultural Report there is in fact immediately in front of the School Boarding House a substantial terrace from which the new Two Storey Function Room 798.25 sq.m. to accommodate some 185 to 200 persons has access to the "Function Room Garden Terrace". Which people will no doubt use? There is

also above several bedroom windows from which you can look across to the girls boarding house. The Walkway between the Function Room and the proposed accommodation block is glazed.

The Case Officer Recommendations S07/0720/FULL

Page 38. Amenity Issues “Concerns have also been expressed about the potential loss of privacy for Stamford School’s Girls Boarding House on Burghley Lane from the bedrooms in the proposed Two Storey Extension. The applicants’ have responded to this concern by proposed that a row of 11 no. Silver Birch trees along the common boundary (condition 11).”

Page 41.11. “In the first planting season following commencement of development, the tree planting proposals adjacent to the boundary with the school boarding house on Burghley Lane

Reason: Tree planting is required in this location in the interests of safeguarding the privacy of the neighbouring school boarding house, in accordance with Policy EN1 of the Saved Policies of the South Kesteven Local Plan.

Page 43 18. “Before construction of those parts of the building containing function rooms are to commence, details of the method of sound insulation and ventilation systems to be installed shall be submitted to the local planning authority

Reason: To ensure that neighbouring residents are safeguarded from noise arising from the use of the Function Room. In accordance with Policy EN1 of the Saved Policies of the South Kesteven Local Plan and PPS23.”

Site a “Function Room Garden Terrace” in such close proximity to the Boarding House and Burghley Lane Residents does not safeguard the neighbouring residents from noise.

I note your comments overhead by my wife “the reason for the felling of the pollarded limes is because of the “poor maintenance” of these trees”. Please note the Landlord/Developer of the proposed Hotel forestry department are the body who has pollarded thee trees every year recently. A practice that started four years ago prior to that if was carried out every four years or so.

As stated there are other trees of that type in the grounds of the Hotel which have not been required to be felled by the Developer. Why do exactly the same trees need to be removed and these others retained.

Will Mr Crook advise and confirm why the limes that need to be removed are diseased? If they are not diseased then why should they be removed?

In the Case Officer’s conditions there is no confirmation of the status of these trees. If as you confirm “there is plenty of room for car parking” then why are these trees being removed.

Will you please make yourself available to inspect these trees with an independent Arboriculturalist and confirm why these trees need felling.”

The following additional representation has been received in support of the application:

“I am writing to you, as regrettably, I will not be available to attend the Committee meeting on 4 August. As you know, I agreed to speak in support of the proposed development at the 2 June meeting, but the applications were unfortunately deferred. However, I would not wish that my views go unknown at the 4 August meeting, and to that end I am writing this letter for the purposes of submission to the Council.

My Background

It is important that I explain my background and experience.

I am a Chartered Architect and founding Partner of Rodney Melville & Partners, a practice that specialises in and has a reputation for sensitive work to historic buildings and for the design of new buildings in historic environments.

I am familiar with South Kesteven, having been born there and having lived there. In tis District my practice advises the National Trust at Belton House and was responsible for the recent fire damage restoration of Stoke Rochford Hall, where we had a long, sometimes difficult but ultimately successful relationship with English Heritage, thanks to the support of the officers of South Kesteven District Council.

Further afield we undertook the Phase 1 repair of Grade I listed Apethorpe Hall, East Northants for English Heritage; we are currently engaged on the design of alterations and extensions to a Grade 2 listed building at Lincoln College, Oxford and we look after at least 20 other Grade 1 and II buildings including Chequers, Warwick Castle and Hardwick Hall.*

I am a Member of the English Heritage Advisory Committee which advises on English Heritage policy and on difficult cases. The opinions set out below are, however, my own and not necessarily those of English Heritage.

Design Context

I have studied the current proposals for the alteration and extension of Lady Anne’s Hotel and have visited the site. I have also studied the report entitled ‘Historic Building Recording’ by Archaeological Solutions Ltd which describes the development of the hotel buildings over time and their architectural features. The Report also contains photographs of the buildings, internally and externally, which I have found informative and Members at Committee may also find helpful.

Altering and extending “listed” buildings is nearly always a difficult undertaking, requiring the exercise of judgement and there is rarely a single ‘right’ solution. Given that the business case requires an extension to accommodate additional

bedrooms, together with a function room, I conclude that a two-storey extension in a traditional style physically separate from but linked to the rear of the hotel is a reasonable response. Constructed in traditional materials, local stone and nature slate, the extension will sit comfortably with its older neighbours and weather well over time.

The new extension is aligned east-west behind the existing building and therefore conforms to the historic texture and grain of buildings fronting St Martin's, north and south of Burghley Lane, most of which have wings or extensions deep into their plots, also aligned east-west.

The extension does not in my judgement overwhelm the existing 'listed' building nor significantly undermine the special architectural and historic interest of the buildings or the site. The Grade II listed building, no. 36, on the corner of Burghley Lane, is remote from the new development and least affected by it. There is also, on balance, a heritage gain in that the unsightly 20th century flat-roofed extensions to the rear of the building will be swept away in the development. It is only the Grade II no. 38 High Street which would have a direct physical relationship with the proposed two-storey building, but this is separated by a minor single-storey link and does not impinge upon the integrity of the listed building.*

The new two-storey extension only provides 8 of the bedrooms required, the balance being incorporated in a new single-storey and grass-roofed building of contemporary design enclosing a landscaped circular court. This seems to me to be an imaginative solution which allows the new two-storey extension to be limited to the footprint of the new function room and its integral service spaces.

Setting and Landscaping

The simple pattern of lawns and paths shown on the 1900 and 1926 OS maps has largely been obliterated by the existing car park and by the modern hard landscaping between the hotel and the car park compartmented by cypresses hedges and trelliswork and populated by planters, tables, chairs and umbrellas (refer attached images on drawing no. 6757/01).

I am of the opinion, therefore, that even allowing for the impact of additional car parking, the proposed landscaping is an improvement. The new single storey building opens onto a walled circular courtyard which also embraces the new two-storey extension. It provides both a sense of enclosure for both buildings and, at the same time, physical separation from the car park.

The stone boundary wall fronting the main road maintains the building line and contains views into the site on the approach to the town centre. The pollarded lime trees extensively screen the site in summer. They are an important visual element in the landscape. I understand that the Tree Officer has agreed to the removal of the trees on arboricultural grounds, but that they are nearly all to be replaced. It is, in my view, essential that there is replacement, as agreed between the applicant and the Tree Officer.

The woodland belt between the site and the Registered Grade II park obscures the development from the park so that there is very little, if any, inter-relationship between them and therefore negligible impact on the park.*

Conclusion

I am impressed by the degree to which the Applicant carried out consultations with the Council's officers and with English Heritage and other interested parties over a number of years. From reading the exchanges of correspondence, it does appear that English Heritage was content with the proposals until relatively recently, perhaps due to a change of officer advising on the case.

On balance, my opinion is that the design of the proposed extensions have been informed by an understanding of the existing 'listed' buildings and their significances and by the setting of those buildings to meet the brief. The outcome is in my judgement commendable and the introduction of the single-storey building and its garden an exciting solution which will enhance the site.

I would therefore have urged the Committee to approve both Applications."

SUMMARY OF REASON(S) FOR APPROVAL

It is considered that the proposed development including two-storey and single-storey extensions to the grade II/II* buildings that comprise the Lady Anne's Hotel situated in a very prominent location on the historic southern approach to the town, in order to increase the number of bedrooms and enhance the facilities generally, are acceptable and will preserve the setting of the listed buildings or on their character and appearance and would have a positive impact on the character and appearance of this important part of the Stamford Conservation Area.

It is further considered that it has been satisfactorily demonstrated that there is an identified need for the proposed development, that it would conform to the principles of sustainable development and, subject to the conditions attached to this permission, have an adverse impact on the amenities of neighbouring residents or highway safety.

The proposal would therefore be in accordance with Central Government Policy Guidance/Statements PPS1, PPS6, PPG13, PPG15, PPG16, PPS23, the Good Practice Guide for Tourism, Policies 2 and 27 of the East Midlands Regional Plan and Policies EN1, EN6 and T3 of the Saved Policies of the South Kesteven Local Plan.

CASE OFFICER RECOMMENDATION: That subject to the comment of English Heritage's Historic Parks and Gardens Division and subject to the Secretary of State not requiring the application to be referred to him/her for a decision, the development be Approved subject to condition(s):

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 take place until samples of the materials (including colour of render, paintwork or colourwash) to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and in accordance with Saved Policy EN1 of the South Kesteven Local Plan.

3. No works shall take place until full details of the all proposed joinery works including 1:20 sample elevations and 1:1 joinery profiles have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

Reason: As insufficient information has been submitted the condition is imposed to ensure the satisfactory preservation of the building.

4. All existing architectural features including staircases, balustrades, windows, doors, architraves, skirtings, dados, picture rails, panel work, fireplaces, tiling, corbelled arches, cornices, decorative ceilings and other decorative features shall be retained except where otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the satisfactory preservation of this listed building.

5. No development shall take place within the application site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority.

Reason: In order to provide a reasonable opportunity to record the history of the site.

6. The arrangements shown on drawing no. 799-13J dated 26 February 2009 for the parking, turning, loading and unloading of vehicles shall be available at all times the premises are in use.

Reason: To enable calling vehicles to wait clear of the carriageway of High Street, St Martins and to allow vehicles to enter and leave the highway in forward gear in the interests of highway safety, in accordance with PPG13.

7. No development shall take place before the detailed design of the arrangements for surface water drainage has been agreed in writing by the local planning authority.

Reason: To ensure that surface water run-off from the development will not discharge on to the highway nor adversely affect, by reason of flooding, the safety, amenity and commerce of nearby residents businesses and users of the site, in accordance with PPG13.

8. Within six months of the development being occupied, the Applicants/Operators of the Hotel shall review the Parking Demand Management Plan and submit an updated and/or amended Plan for approval in writing by the local planning authority, in consultation with the local highway authority. Thereafter, annually, the Applicants/Operators shall provide details of the implementation of the said Plan for analysis by the local planning authority in consultation with the highway authority.
9. The width of the access onto High Street, St Martins shall be maintained at its existing width.

Reason: In the interests of highway safety in accordance with PPG13.

10. Within six months of the development hereby permitted being occupied, a Travel Plan shall be submitted for the approval of the local planning authority. Thereafter, annually, unless the local planning authority agrees to any variation, a staff survey shall be undertaken and submitted for analysis approval of the local planning authority, in consultation with the highway authority, in order to confirm that the travel arrangements set out in such Plan are being fulfilled.

Reason: In order to ensure that the local planning authority conforms to the requirements of PPG13, a Travel Plan has been conditioned to ensure that access to the site is sustainable and reduces dependency on the car.

11. In the first planting season following commencement of development, the tree planting proposals adjacent to the boundary with the school boarding house on Burghley Lane shall be implemented in accordance with the details shown on drawing no. 799-70A. Any of the trees that die, are removed, become diseased or seriously damaged within 5 years of completion of the development shall be replaced in the first planting season with others of similar size and species, unless the local planning authority gives its written agreement to any variation.

Reason: Tree planting is required in this location in the interests of safeguarding the privacy of the neighbouring school boarding house, in accordance with Policy EN1 of the Saved Policies of the South Kesteven Local Plan.

12. There shall be no use of the existing access off Burghley Lane for service/delivery purposes.

Reason: To safeguard the amenities of residential properties on Burghley Lane in accordance with Policy EN1 of the Saved Policies of the South Kesteven Local Plan.

13. Before the development is commenced, samples of the materials to be used to surface the unbuilt portions of the site shall be submitted to the local planning authority and only such materials as may be agreed in writing shall be used in the development.

14. Prior the commencement of the development hereby permitted, a sample panel of materials shall be erected on site, and shall be subject to the approval of the local planning authority. The panel shall show the proposed method of construction, including the type of external facing materials and the mortar mix to be used. The approved development shall be constructed in accordance with such sample panel

as may be approved and the panel shall be maintained on site throughout the duration of the construction works.

Reason: To ensure that the materials to be used are in-keeping with the surroundings in accordance with PPG15 and Policy EN1 of the Saved Policies of the South Kesteven Local Plan.

15. All windows and doors of the extensions shall be constructed of timber and in accordance with large scale joinery details to be submitted for the approval of the local planning authority and only such details as may be agreed in writing shall be used in the development.

Reason: To ensure that these details are appropriate for the historic environment context in accordance with PPG15 and Policy EN1 of the Saved Policies of the South Kesteven Local Plan.

16. Before the development hereby permitted is commenced, details of equipment to be installed to suppress cooking odours and fumes and any air conditioning equipment, including the location in which they are to be shall be submitted for the approval of the local planning authority. Such equipment shall only be installed in accordance with details that are agreed in writing. In compliance with Policy EN1 of the Saved Policies of the South Kesteven Local Plan and PPS23.

Reason: To ensure that equipment to be installed is located in positions where they will not impact on the appearance of the buildings or the amenities of neighbouring residential properties, in accordance with Policy EN1 of the Saved Policies of the South Kesteven Local Plan and PPS23.

17. Before the development is commenced details showing the location and means of foul drainage from the development shall be submitted for approval by the local planning authority. Such details as may be agreed in writing shall be operational prior to the buildings being occupied.

Reason: To ensure that appropriate provision is made for the disposal of foul drainage from the site in accordance with Policy EN1 of the Saved Policies of the South Kesteven Local Plan.

18. Before construction of those parts of the building containing function rooms are commenced, details of the method of sound insulation and ventilation systems to be installed shall be submitted to the local planning authority. Such details as may be agreed in writing shall be installed prior to the function rooms coming into use. In accordance with Policy EN1 of the Saved Policies of the South Kesteven Local Plan.

Reason: To ensure that neighbouring residents are safeguarded from noise arising from the use of the function room. In accordance with Policy EN1 of the Saved Policies of the South Kesteven Local Plan and PPS23.

19. Before the development is commenced details of the rainwater goods to be installed on the extensions shall be submitted to the local planning authority and only such details as may be agreed in writing shall be used on the buildings.

Reason: To ensure that the type of rainwater goods to be used are appropriate for the context, in accordance with PPG15.

20. Details of external lighting for the site shall be agreed in writing with the local planning authority and only such details as may be agreed in writing shall be used on the site.

Reason: To ensure that the means of external lighting is appropriate for the context and does not detract from the character and appearance of the setting of the building.

21. Before the development hereby permitted is commenced all existing trees shown to be retained on the approved plan shall be fenced off to the limit of their branch spread and no works (including removal of earth, storage of materials, vehicular movements or siting of temporary buildings) shall be permitted within these protected areas. Any variation to these restrictions shall only be implemented in agreement with the local planning authority.

Reason: To prevent unnecessary damage to existing trees.

22. Before the development hereby permitted is commenced there shall be submitted to and approved by the District Planning Authority details (including sections) of the relative heights of existing and proposed ground levels of the site and adjacent ground levels.

Reason: In the interests of amenity, to ensure a satisfactory development and to ensure that any new development does not impose adversely upon its surroundings, in accordance with Policy EN1 of the Saved Policies of the South Kesteven Local Plan.

23. The arrangements for bin storage shall be as shown on drawing no. 799-13M, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the arrangements for refuse bin storage do not impact adversely on the setting of the listed buildings or the amenities of neighbouring properties, in accordance with PPG15 and Policy EN1 of the Saved Policies of the South Kesteven Local Plan.

24. Before the development hereby permitted is commenced a Method Statement as per the submitted Protected Species Report, detailing measures and a timetable of works to be undertaken to mitigate any adverse effects to bats, shall be submitted to and agreed in writing with the Local Planning Authority and shall be carried out as part of the approved development.

Reason: To ensure that appropriate measures are taken to safeguard Protected Species in accordance with PPS9 – Biodiversity and Geological Conservation.

Note(s) to Applicant

1. You are advised that the application site falls within an area which requires protection from Radon. You are advised to contact the District Council's Building Control Services to ascertain the level of protection required, and whether geological assessment is necessary.

* * * * *

Applicant	Burghley House Preservation Trust C/o Agent
Agent	Mark Flood, Insight Town Planning Suite 1, Lodge Park House, Kettering Parkway South, Kettering, NN15 6XU
Proposal	Extensions and alterations to listed building and works of partial demolition
Location	Lady Annes Hotel, 36-38, High Street, St. Martins, Stamford
App Type	Listed Building Consent
Parish(es)	Stamford

REPORT

Reason for referral to Committee

Significance of the impact of proposals on Listed Buildings and the Stamford Conservation Area.

Councillor Gaffigan also requested that the application be referred to Committee for determination.

The Proposal

Listed Building Consent is sought for works of internal and external alteration to the existing buildings, involving selective works of demolition, and substantial extension.

This application accompanies the planning application S07/0720/69 and a description of the proposal is included in the report to that application.

The application site and its surroundings

The application site and its surroundings are described in the report to the accompanying application for planning permission S07/0720/69.

Representations Received as a result of consultation

Historic Buildings Advisor :

My comments on various key aspects of the proposals are as follows :

1. Following detailed item by item consideration of proposed alterations to the principal building range along the High Street St Martin's frontage, and after a series of amendments on advice, these have now been (a) generally sensitively devised to

retain existing essential structural fabric and features, and (b) in many cases serve to remove previous unsympathetic alterations.

2. The proposed demolitions to the rear (east) of the main frontage buildings are exclusively to be of structures which are of no merit or significance in the architectural or historic merit. Their removal will serve to improve the character and appearance of the retained buildings.

3. The proposed substantial extensions to the east of the existing main buildings are shown to be modelled in a complementary (albeit architecturally restrained) form and style which does not architecturally compete with that of the existing. Although the proposed extensions are of a large scale, principal views of them from the south appropriately show the most restraint in this aspect.

4. The large proposed single storey crescent shaped (green roofed) extension in the south eastern sector of the site will be (a) sufficiently remote in location from the main building and only loosely linked, and (b) substantially lower in scales, do that it will in my opinion not overbear on the scene. Principal views of this extension would in any event be reduced in visual impact by an enclosing garden wall and attractive (replacement) ornamental gardens.

5. Subject to (a) further large scale details showing the proposed treatment of key architectural features in the new work, and (b) the use of harmonious natural materials in external construction, I can see no real objections to the proposals in the context of their impact on the character and appearance of the listed buildings and their settings.

Community Archaeologist :

If consent granted, requests standard condition H101. It is considered that the site offers potential for archaeological remains to be encountered during development.

English Heritage :

Comments on original submission (received 27 June 2007)

Summary

The proposals for Lady Anne's Hotel would be harmful to the special interest and setting of the listed buildings of which it is constituted, due to scale, design and layout. We therefore advise that the application should be refused.

English Heritage Advice

Lady Anne's Hotel consists of a number of listed buildings that have been combined.

Although there have been some harmful alterations (and we understand some of these remain unauthorised), the buildings remain largely intact, but marred somewhat by poor flat roofed additions.

We have provided advice on previous occasions on how the existing hotel could be improved by the removal of these flat roofed additions, the building of a modest extension and health suite in the car park.

The proposals that have come forward show essentially a very large extension to the hotel consisting mainly of bedrooms, which although bearing some similarities to the previous scheme, is in fact very different, and much larger. Additionally the flat roofed extensions are replaced by a further flat roofed lobby area and large bedroom extension. The previous justifications therefore do not apply as this is in essence an entirely fresh proposal.

The area previously intended for "health suite" use has been enlarged and attached to the hotel, essentially forming a further very large single storey flat roofed (although grassed) extension.

These extensions as a whole almost completely obliterate the existing gardens which are an important part of the setting of these buildings. They date from their use as houses and continued in use as gardens by the hotel. The provision of new gardens bounded by the single storey extension does not in any way mitigate this impact.

There are some reinstatement s of internal walls in the proposals which should be regarded as beneficial, however these are balanced and possibly outweighed by demolition of other internal walls.

Seen in plan, the scheme as a whole appears as a new hotel attached to the existing building. Whilst the design of the proposed changes has been handled skilfully, their sheer extent and bulk is the issue. If this is necessary to make the hotel economically viable one must surely question (given the impact of the proposals) whether the hotel use is any longer appropriate, whether conversion back to individual dwellings would be a more suitable response.

There is not, however, any compelling evidence supplied in the supporting information that would suggest that the existing hotel is unviable.

Recommendation :

In conclusion we advise that the proposals would be harmful to the special interest and setting of the buildings that constitute Lady Anne's Hotel. Even if they could be justified on an economic viability basis (and we do not think they have), this would merely suggest that an alternative use more sympathetic to the buildings should be sought. We therefore recommend that the applications are refused.

We would welcome the opportunity of advising further. Please consult us again if any additional information or amendments are submitted. If, notwithstanding our advice, you propose to approve the scheme in its present form, please advise us of the date of the committee and send us a copy of your report at the earliest opportunity.

Comments on revised proposals (received 20th December 2007)

Thank you for consulting English Heritage on the revised proposals. The amendments to the scheme have not addressed the concerns that we raised previously and we therefore continue to advise that the applications are refused.

Stamford Town Council :

Comments on original submission

The hotel is sited along the route of the major gateway to Stamford. The submitted plans are considered to be gross overdevelopment of the site. Stamford Town Council unanimously recommends refusal of this application on the following grounds:

The proposal would create severe and unacceptable congestion along Burghley Lane.

Restricted sight lines and congestion at the junction with High Street do not appear considered.

Likely increase of commercial and domestic vehicle movements along Burghley Lane would severely and adversely impact on neighbouring properties and their amenities and create significant pedestrian safety issues; most especially in respect of Stamford High School.

Any increase in traffic flow combined with decrease of car parking space within the hotel grounds will inevitably lead to illegal, off-road parking in an already heavily congested area where existing, slow moving traffic queues are the norm.

The Traffic Survey offered in conjunction with the application was conducted during a holiday off-peak period offering an entirely false impression of traffic volume.

Service and delivery vehicle movements will generate unacceptable levels in primarily a residential area. Such adverse noise levels will undoubtedly be detrimental to Stamford High School.

The proposed removal of trees which currently provide screening and noise attenuation also act as a buffer, the removal of which will encroach on the privacy of Stamford High School.

With recent consent having been given for additional accommodation in North Street, Stamford, there is a question whether this proposal is commercially sustainable.

The proposed design is totally out of character with the existing, scheduled period building that is the Lady Anne Hotel, which is an important heritage feature of architectural interest in Stamford.

It is requested that this application is deferred to Committee and the Committee conduct a site visit.

Comments on revised proposals

The Committee voted unanimously against the application and recommended strong objection to the application on the following grounds:

That servicing, including refuse collection, should only take place from the main entrance and that a condition should be made closing all access from Burghley Lane.

The ramp currently in place at the Burghley Lane entrance should be removed.

The sight lines require improvement at the main entrance off St Martins.

Lack of adequate parking provision will result in serious congestion.

Due to additional congestion, with restriction difficulties for emergency vehicles accessing the A1 from St Martin's.

Loss of privacy to Stamford Endowed School Boarding House.

The modernist, environmental design proposed is wholly unsympathetic with the historic, conservation town street scene in a heritage setting.

It would constitute a major over development of the site which would increase the existing footprint by 132%.

Increase and noise and loss of privacy for residents in Burghley Lane to the clear detriment of residents.

No practical need for the development has been demonstrated.

It is believed that no tree survey has been undertaken and it is recommended that this is carried out by the SKDC Arboricultural Officer.

Significant impact on the known, existing wildlife habitats of bats and Nightingales.

The Committee acknowledges the efforts made by the Planning Officer and considered that an attempt should be made to influence the application through the attachment of conditions. It is most strongly urged that SKDC takes heed of local residents concerns as well as the considered views and recommendations submitted by the Town Council.

N.B. It will be noted that the majority of the above points are relate to highway issues that are considered under the accompanying planning application.

Stamford Civic Society

Comments on original submission

I refer to the above application which has been considered by the Society, together with a detailed appraisal of the proposals on site. I have considered this in two parts. Firstly the

alterations and demolitions to the existing buildings and secondly the proposed new buildings.

1. Alterations to the existing buildings:

1.1 The proposed position of the single storey extensions to the east does not indicate the treatment of the trees or the affect of the proximity of the trees. It would appear that the Lombardy Poplars are to be retained, yet a mature Sycamore is to be removed. The large Holly would also appear to be in the way fo the proposed position.

1.2 There do not appear to be any details for the proposed double doors to replace the large Victorian window facing east from the new restaurant area. This is clearly an original opening and will require sensitive treatment.

1.3 The construction of the glazed screen across the lobby at the base of the ground floor/first floor staircase is considered to be poorly conceived. Its proximity to the staircase will have an impact upon the grandeur and status of this fine historic feature.

1.4 The construction of the new Ladies and Gents WC is considered to be ill thought out. The studwork wall across the inner face of the eastern façade will blight any views into the hotel and will create a very strange effect within. The removal of a section of what we believe to be original panelling to form the 'lobby' should also be resisted. There is also no impact assessment regarding the inevitable services including hot and cold water pipes, drainage, ventilation/extraction etc.

1.5 There is a section of hatched curved stonework at the end of this corridor, in the nearby corridor between Dining/Meeting Room 1 and the Laundry. We cannot understand the requirement for its removal.

1.6 Further up the same corridor, travelling north, there is a section of altered masonry which, once again, would not appear to us to serve any purchase by being altered.

1.7 The current opening between Bedroom 1 and Bedroom 2 could be infilled as suggested, but unless there is evidence of this being historic and original joinery (the details are unclear) it may be more appropriate to complete the job properly with solid masonry.

1.8 We question the rationale of closing permanently the doorway to the ensuite bathroom to Bedroom 2 – this may provide a very unsatisfactory detail.

1.9 We have only had limited access to first floor bedrooms (and the bedrooms generally throughout the property) but we understood that there is an elegant freeze throughout some of the bedrooms at first floor level which may be interrupted/damaged by the revised configuration of bedrooms/ensuite bathrooms. It should be a condition of any approval that such freezes are replicated and/or preserved.

1.10 It is unclear whether the partition within Bedroom 24 is original fabric. If this proves to be the case, its removal should be resisted.

1.11 The infilling of a door to create Bedroom 25 would appear to be removal of original fabric and, once again, this would appear unnecessary if greater thought is given to the revised layout.

1.12 Similarly, the door into Bedroom 31 has been moved by approximately 400mm and the benefit appears questionable.

1.13 The infilling of part of the original window to Bedroom 32, to enable the corridor to be created could be omitted if the corridor were to be realigned very slightly.

2. Proposed new buildings

2.1 The conservatory appearance of the proposed Garden Room/Bar Entrance, replacing the present hotel entrance is, in our view, compatible with the Victorian character of the existing South elevation.

2.2 The new two-storey block between the existing essentially Victorian south elevation and the proposed single-storey bedroom complex we consider a disappointing bland pastiche of period and modern features that harmonises with neither and devalues the Conservation Area. It gives the impression of being inhibited by anticipated stylistic constraints.

In the recessed entrance link, the four-centred arch we feel is incompatible with the modern glazed entrance and the blank wall above is visually oppressive. There is a chance here for imaginative glazing between the old and the new to form the junction between styles.

Despite its small hipped bays, the use of an L-shaped roof, embracing the full lengths of the south and east elevations, would create a visual mass perhaps too dominant, relative to the rather broken roofscape of the parent buildings. An arrangement that expresses the sub-elements of the plan might be more appropriate. In any event, the roof pitch lower than the existing roofs is unsatisfactory.

The fenestration is confused. There seems to us little reason for three different window types for the east elevation of the Function Room, and the slightly larger Function Room windows on the south elevation relative to the others is a distraction and we question whether the female WC justifies an equivalent window to the bedrooms.

This whole block being new-build, lends itself in our view to inspirational modern design complementing the innovative bedroom wing. Good modern design in appropriate materials (and that need not exclude flat roofs) would be far preferable to a nondescript 'period' compromise.

2.3 The circular bedroom complex with its attendant landscaping is considered most attractive. Although its innovative form and construction depart from Stamford's building traditions, it will make a stimulating and pleasing contrast and an enhancement to the Conservation Area which hopefully could be echoed in a better design for the two-storey block.

In summary, whilst the Society welcomes the intention to improve facilities within the existing building and has no objections to the parts scheduled for demolition, it raises a number of queries and issues about the adaptations which could have a deleterious affect

on some of the important features of the existing buildings. We trust that the Planning Authority will satisfy itself on the points we have raised. In respect of the new buildings, we would urge the Planning Authority to ask for a re-design of the two-storey extension, but we welcome the single-storey bedroom complex and its associated landscape which provides an opportunity for a quality building with a contemporary feel and not the dull pastiche of too many recently erected new buildings within the Conservation Area.

Comments on revised proposals

We are concerned that it is unclear whether many of our comments and objections expressed in our original letter dated 2nd July 2007 have been addressed. They still stand.

Our main concern is the proposed new two storey block. In our previous letter, we referred to it as "a disappointing pastiche of period and modern features". That does not appear to have been addressed and nor have our concerns about the blank wall above the arch.

We strongly urge that the link building should be readdressed both in terms of its organisation and certainly in terms of the way it communicates visually with the two buildings. The assumed classical qualities of the building need to be questioned. By doing this, the reservations expressed by English Heritage could be addressed in a more convincing way. At the very least, a pastiche of this type demands symmetry and more appropriate detailing.

Representations as a result of publicity

The application has been advertised in accordance with the adopted Statement of Community Involvement, the closing date for representations being 29th June 2007. The issues raised in respect of the works requiring listed building consent can be summarised as follows :

1. Additions and alterations to existing building devalues or destroys the important southern entry to Stamford.
2. Proposed flat-roofed extension not in-keeping/out of character with the existing building and town.
3. Over powering/out of scale in relation to existing hotel.
4. 1854 Garden design important for the character and setting of the building. It will be obliterated by the proposals.
5. Design of proposed extension inappropriate for the character and setting of listed buildings.
6. Fails to ensure that local distinctiveness is respected in the new development.
7. Replacement buildings will be incongruous when set against original buildings.

8. Partitioning off main staircase will be detrimental to the overall appearance and character of this important space.
 9. Installation of toilets adjacent to 'roadside' elevation at ground floor, requiring insertion of stud wall will lead to difficulties of internal maintenance and create an unattractive appearance for the passing public, thus detrimental effect on the listed building.
- N.B. Amended drawings show the toilets moved to a room in the rear of the building.
10. Poor design and materials.

Site History

The relevant site history has been included the report to the accompanying planning application ref S07/0720/69.

Key issues

The impact of the proposals on the character and appearance of the listed buildings and the Conservation Area.

Policy considerations

Central Government Policy Guidance

PPG15 – Planning and the Historic Environment

PPG16 - Archaeology and Planning

East Midlands Regional Plan

Policy 27 - Regional Priorities for the Historic Environment

The historic environment should be understood, conserved and enhanced, in recognition of its own intrinsic value, and its contribution to the Region's quality of life.

Across the Region and particularly in areas where growth or regeneration is a priority, development should promote sensitive change of the historic environment. To achieve this, Local Planning Authorities should:

identify and assess the significance of specific historic assets and their settings;
use characterization to understand their contribution to the landscape or townscape in areas of change;

encourage the refurbishment and re-use of disused or under-used buildings of some historic or architectural merit and incorporating them sensitively into regeneration schemes;

promote the use of local building materials; and

recognise the opportunities for enhancing existing tourism attractions and for developing the potential of other areas and sites of historic interest as part of Green Infrastructure, having regard to potential impacts on biodiversity.

Officer Evaluation

Under this application the only considerations are the impact the proposed works of alteration and extension would have on the character and appearance of the listed buildings, their setting and this part of the Stamford Conservation Area. Other matters, such as economic need, viability and highway issues are to be considered under the accompanying planning application.

Government Guidance on alterations and extensions to listed buildings is set out in PPG 15 – Planning and the Historic Environment (pub.1994).

PPG15 requires that :

“Applicants for listed building consent must be able to justify their proposals. They will need to show why works which would affect the character of a listed building are desirable or necessary. They should provide the local planning authority with full information, to enable them to assess the likely impact of their proposals on the special architectural or historic interest of the building and on its setting.”

It is considered that the applicants have submitted the necessary information for the Authority to assess the impact of the proposals on the listed buildings and their setting.

At paragraph 3.5, PPG15 sets out the criteria against which all applications for listed building consent are to be considered :

- i) the importance of the building, its intrinsic architectural and historic interest and rarity, in both national and local terms;*
- ii) the particular physical features of the building (which may include its design, plan, materials or location) which justify its inclusion in the list; list descriptions may draw attention to features of particular interest or value, but they are not exhaustive and other features of importance (e.g. interiors) may come to light after the building’s inclusion in the list;*
- iii) the building’s setting and its contribution to the local scene, which may be very important, e.g. where it forms an element in a group, park, garden or other townscape or landscape, or where it shares particular architectural forms or details with other buildings nearby;*
- iv) the extent to which the proposed works would bring substantial benefits for the community, in particular by contributing to the economic regeneration of the area or the enhancement of its environment (including other listed buildings).*

The proposals have been the subject of several pre-submission meetings involving Officers of the Council, the Historic Buildings Advisor and a representative of English Heritage. Discussions on the proposals first took place in April 2004, approximately three years before the formal application was submitted. As stated in the supporting documents, the Officers of the District Council, their Historic Buildings Advisor did not have any objection in principle to the extensions or alterations proposed to the hotel and that remains the case now. The scheme has evolved through several revisions to that under consideration now and the applicants have addressed the concerns the suggestions made by Officers and the Advisor to the extent that the scheme is now considered acceptable.

Several unsightly modern additions at the rear will be removed or remodelled. Remodelling of the interior will not cause harm to any important elements of historic fabric.

However, it will have been noted that there is a difference of opinion between the Authority's Officers/Advisor and English Heritage. It has to be said, in fairness to the applicant, that the strength of English Heritage's concerns as expressed in their formal comments (see above) did not appear to be expressed so forcefully at the pre-submission meetings. To support this impression, the applicant's agent has provided copies of pre-submission correspondence and drawings, some of which the District Council have not previously had sight of.

Opinions on proposals such as those now under consideration are always tinged with subjectivity and there will, inevitably, be differences, as there are in this instance. Opinions are constrained by Policy and Government Guidance.

Your Officers and the Historic Buildings Advisor consider the proposals acceptable but English Heritage do not. The Town Council do not like them and the Civic Society have expressed concern about the two-storey extension but are in favour the single storey, grassed roofed, circular building.

If Members are minded to grant consent for the proposals it will be necessary to refer the application to forward the application to the Government Office for the East Midlands in order for the Secretary of State to consider whether application should be referred to him for a decision.

Crime and Disorder Implications

It is considered that the proposed development would not give rise to any significant Crime and Disorder Issues.

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 that act will be breached.

SUMMARY OF REASON(S) FOR APPROVAL

It is considered that the proposed development including two-storey and single-storey extensions to the grade II/II* buildings that comprise the Lady Anne's Hotel situated in a very prominent location on the historic southern approach to the town, in order to increase the number of bedrooms and enhance the facilities generally, are acceptable and will preserve the setting of the listing buildings or on their character and appearance and would have a positive impact on the character and appearance of this important part of the Stamford Conservation Area.

The proposal would therefore be in accordance with Central Government Policy Guidance contained in PPG15, PPG16 and Policy 27 of the East Midlands Regional Plan.

CASE OFFICER RECOMMENDATION: That subject to the Secretary of State not requiring the application to be referred to him/her for a decision, the development be Approved subject to condition(s):the development be Approved subject to condition(s):

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

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. No works shall take place until full details of the all proposed joinery works including 1:20 sample elevations and 1:1 joinery profiles have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

Reason: As insufficient information has been submitted the condition is imposed to ensure the satisfactory preservation of the building.

3. All existing architectural features including staircases, balustrades, windows, doors, architraves, skirtings, dados, picture rails, panel work, fireplaces, tiling, corbelled arches, cornices, decorative ceilings and other decorative features shall be retained except where otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the satisfactory preservation of this listed building.

4. Before work commences details of the method of fire protection of the walls, floors, ceilings and doors, including 1:5 sections through walls and ceilings, 1:20 elevations of doors and 1:1 scale moulding sections shall be submitted to and approved in writing by the Local Planning Authority. All existing original doors shall be retained and where they are required to be upgraded to meet fire regulations a schedule shall be submitted to and approved in writing by the Local Planning Authority. Self-closing mechanisms, if required, shall be of the concealed mortice type.

Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building.

5. Prior to the commencement of the works hereby granted consent, a sample panel of materials shall be erected on site, and shall be subject to the approval of the local planning authority. The panel shall show the proposed method of construction, including the type of external facing materials and the mortar mix to be used. The approved development shall be constructed in accordance with such sample panel as may be approved and the panel shall be maintained on site throughout the duration of the construction works.

Reason: To ensure that the materials to be used are in-keeping with the existing buildings, in accordance with PPG15 and Policy EN1 of the Saved Policies of the South Kesteven Local Plan.

6. All windows and doors of the extension shall be constructed of timber and in accordance with large scale joinery details to be submitted for the approval of the local planning authority and only such details as may be agreed in writing shall be used in the works of alteration and extension.

Reason: To ensure that these details are appropriate for the historic environment context in accordance with PPG15 and Policy EN1 of the Saved Policies of the South Kesteven Local Plan.

7. Before the works hereby granted consent are commenced, details of any equipment to be installed to suppress cooking odours and fumes and any air conditioning equipment, including the location in which they are to be shall be submitted for the approval of the local planning authority. Such equipment shall only be installed in accordance with details that are agreed in writing. In compliance with Policy EN1 of the Saved Policies of the South Kesteven Local Plan and PPS23.

Reason: To ensure that equipment to be installed is located in positions where they will not impact on the appearance of the buildings, in accordance with Policy EN1 of the Saved Policies of the South Kesteven Local Plan and PPG15.

8. Before the works hereby granted consent are commenced details of the rainwater goods to be installed on the extensions shall be submitted to the local planning authority and only such details as may be agreed in writing shall be used on the buildings.

Reason: To ensure that the type of rainwater goods to be used are appropriate for the context, in accordance with PPG15.

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