

## BOROUGH OF KETTERING

<b>Committee</b>	<b>Full Planning Committee - 21/10/2014</b>	<b>Item No: 5.8</b>
<b>Report Originator</b>	<b>Alan Davies Development Officer</b>	<b>Application No: KET/2014/0527</b>
<b>Wards Affected</b>	<b>Slade</b>	
<b>Location</b>	<b>3 Main Street, Loddington</b>	
<b>Proposal</b>	<b>Application for Listed Building Consent: Demolish a section of the rear boundary wall and insert an access gate. Install a high post and rail fence adjacent to the Dutch barns</b>	
<b>Applicant</b>	<b>Mr P Ablett</b>	

### **1. PURPOSE OF REPORT**

- To describe the above proposals
- To identify and report on the issues arising from it
- To state a recommendation on the application

### **2. RECOMMENDATION**

THE DEVELOPMENT CONTROL MANAGER RECOMMENDS that this application be APPROVED subject to the following Condition(s):-

1. The works to which this consent relate shall be begun before the expiration of 3 years from the date of this consent.

REASON: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and to prevent an accumulation of unimplemented consents.

2. The works hereby permitted shall not be carried out other than in accordance with the approved plans and details submitted with the application on 14/08/2014.

REASON: To ensure that the proposal does not have a detrimental impact upon the setting of 3 Main Street, a Grade II listed building, in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

3. Notwithstanding the plans hereby approved the 7 metre long section of 1.5 metre high post and rail fence shown on drawing PL02G shall not be physically attached or affixed directly to the curtilage listed wall and shall instead be installed so as to only abut the existing wall.

REASON: To prevent unnecessary damage to the historic stone wall in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

4. The part-demolished wall shall be made good using the stone salvaged from the existing wall and shall not be laid, coursed or pointed other than in accordance with a sample panel which shall have been constructed on site and approved in writing by the Local Planning Authority prior to the

commencement of re-construction of the part-demolished wall. As approved, the sample panel shall be retained on site and kept available for re-inspection throughout the construction period.

**REASON:** In the interests of preserving the architectural and historic interest of the listed building in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

## **Officers Report for KET/2014/0527**

This application is reported for Committee decision because there are unresolved, material objections to the proposal.

### **3.0 Information**

#### **Relevant Planning History**

KET/2014/0526 – Demolish a section of the rear boundary wall and insert an access gate. Install a 1.5m high post and rail fence adjacent to the Dutch barns. Pending.

KET/2013/0133 – Listed Building Consent: Creation of gateway in rear boundary wall. Refused 23/04/2013.

KET/2013/0108 – Creation of an access gate into the rear boundary wall. Refused 23/04/2013.

KET/2012/0453 – Creation of driveway and gated access. Demolition of wall for access to 3 Main Street. Refused 21/09/2012.

KET/2005/0490 – Construction of one new residential dwelling. Approved 19/07/2005.

KET/2004/0387 – Erection of 2 no. dwellings, conversion of and extension to existing outbuildings with associated garage. Approved 25/05/2004.

#### **Site Description**

Officer's site inspection was carried out on 02/09/2014.

The application site is located within the village of Loddington and comprises the listed curtilage boundary wall of 3 Main Street. This wall is a substantial historic coursed rubble ironstone wall that encloses two sides of The Lays. Part of this wall serves Loddington House (a Grade II listed building) and therefore part of the site is considered to be within the curtilage of the listed building and the wall which is the subject of this application is curtilage listed. The entire site falls within the designated Conservation Area for Loddington.

The agricultural field to the southwest of the application site benefits from an existing access point with Harrington Road, which borders the site along its southeast boundary. The curtilage listed stone boundary wall that is the subject of this application separates properties on Main Street and Parklands Close from the agricultural field to the southwest. The site steps down to a lower level between The Lays and the domestic curtilage of Loddington House of approximately 1 metre.

#### **Proposed Works**

It is proposed to demolish a 3.2 metre wide section of the coursed rubble ironstone boundary wall to the rear of 3 Main Street, Loddington,

to provide access to The Lays, an agricultural field to the southeast of 3 Main Street, Loddington. The opening will have a timber 5-bar gate installed and an area of gravel will be created between the existing hard surfacing within the domestic curtilage of 3 Main Street and the proposed access to the field. This will enable vehicular access to the paddock.

**Any Constraints Affecting the Site**

Loddington Conservation Area

Within the curtilage of a Grade II listed building

**4.0 Consultation and Customer Impact**

**Parish Council**

Objection: Should this application be permitted it could be interpreted as establishing the principle to develop The Lays in future. As The Lays is not a sustainable site permission for this proposal should not be granted.

**Environmental Health**

No objection.

**Neighbours**

As the proposal affects a curtilage listed wall dual planning and listed building consent applications have been submitted (KET/2014/0526 and KET/2014/0527). 26 letters of objection have been received from neighbouring residents that object to the proposal, but have not necessarily been submitted against the relevant application. The reasons for objection are as follows:

- The new access is part of future plans to develop The Lays.
- The part-demolition of the wall will harm its character/special historic interest.
- Lack of access between plots is not uncommon in the village; there is alternative vehicular access to The Lays that does not require this additional access point.
- The Lays is an agricultural field, not a paddock for equestrian use and so the justification for the opening (so horses can access The Lays from 3 Main Street) would result in a breach of planning control.
- By creating an opening in the wall and a gravel driveway this will have a detrimental impact upon the character and appearance of The Lays.

**5.0 Planning Policy**

**National Legislation**

The Planning (Listed Buildings and Conservation Areas) Act 1990

**National Planning Policy Framework**

Policy 12. Conserving and enhancing the historic environment

## **Development Plan Policies**

### **North Northamptonshire Core Spatial Strategy**

Policy 13. General Sustainable Development Principles

#### **6.0 Financial/Resource Implications**

None

#### **7.0 Planning Considerations**

The key issues for consideration in this application are:-

1. Legislative considerations in determining listed building consent
2. Special interest of the Grade II curtilage listed wall
3. Assessment of the acceptability of the proposal against national guidance

##### **1. Legislative considerations in determining listed building consent**

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities, when considering whether to grant consent for works that affect 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. The subject of this application, the 2 metre high ironstone boundary wall to the southeast of 3 Main Street, Loddington, is considered to be curtilage listed as it forms part of the curtilage of the application site. This application therefore has to be considered on the basis that the wall is Grade II listed and thus is defined by English Heritage as being 'of special interest, warranting every effort to preserve it'. This proposal must therefore be considered against the national importance of the curtilage listed wall, but in order to do so its significance must first be understood.

##### **2. Special interest of the Grade II curtilage listed wall**

According to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 listed structures can have two separate aspects which make them special or desirable to preserve. The first is the special architectural interest and the second is the special historic interest. It is considered that this boundary wall, which starts to the south of the application site, facing onto Harrington Road, running north along the rear gardens of Parklands Close and then from the southeast corner of the application property in a northeast direction towards Richardsons Lane, does not possess any particular architectural significance in that it is a coursed rubble ironstone wall of various builds and heights, which essentially forms a boundary for the agricultural field to the southeast, The Lays. However, this wall, whilst fairly typical of many north Northamptonshire historic boundary walls in respect of its

architecture, does have a long and varied history and it is this history which gives the wall its significance.

The 1886 Enclosure Map submitted with the Heritage Statement suggests that parts of this wall, particularly those parts close to the boundary with The Lays and the agricultural barn to the southeast, may have been rebuilt and possibly altered in the past, although there has always been a strong boundary wall separating The Lays from the areas to the north and west, including the application property, Loddington House. The map does however show a long barn and a dark u-shaped courtyard building in and around the area of the wall that is proposed to be part-demolished as part of this application. It could therefore be surmised, and the Heritage Statement goes on to suggest this, that the present wall in this area may have been part of the northwest elevation of the long barn structure shown on the 1886 map.

It appears from the 1993 map submitted with the Heritage Statement (penultimate page) that this long barn stood until at least 1993 before it was part demolished to enable the development of Bramble Barn. Therefore, whilst the part of the wall that is proposed to be part-demolished may not have stood as a boundary wall for 200 years, it may well have been part of a former barn on this site and thus has its own narrative to tell. The inspector's report relating to an appeal against a previous refusal states that the creation of an opening in this wall would not be harmful and it is considered that this proposal, which would result in a 3.2 metre wide opening and timber 5-bar gate would retain the boundary and sense of enclosure, albeit with a new access to The Lays.

If the special interest of this wall is understood as its history then a small opening that retains the majority of the wall can only be considered to be less-than-harmful, although Paragraph 134 of the National Planning Policy Framework does state that this harm should be weighed against the public benefit of the proposal, which in this case is considered to be no benefit. That said, the design, and the principle of the opening, is accepted to be something that would not be an alien feature in this area and thus the harm as a result of this proposal, which is simply the loss of some historic fabric, is concluded to be acceptable and thus the proposal accords with Policy 12 of the National Planning Policy Framework and Policy 13 of the North Northamptonshire Core Spatial Strategy.

### 3. Assessment of the acceptability of the proposal against national guidance

It is considered that the applicant has, in their submission of a very well detailed Heritage Statement, satisfied the requirements of Paragraph 128 of the National Planning Policy Framework as it demonstrates an understanding of the historic structure. Paragraph 126 of the National Planning Policy Framework requires Local Planning Authorities to take into account the desirability of sustaining and enhancing the significance

of heritage assets and putting them to viable uses consistent with their conservation; the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring; the desirability of new development making a positive contribution to local character and distinctiveness; and opportunities to draw on the contribution made by the historic environment to the character of a place.

It is considered that this proposal will satisfy some of the aims of Paragraph 126 of the National Planning Policy Framework as it will sustain the boundary between 3 Main Street, Loddington, albeit with the creation of a new feature, but a feature that will nonetheless retain the sense of enclosure currently experienced from the existing boundary wall, most of which will continue to be retained. It is therefore considered that the proposal overall will have a negligible impact upon local character. It will not provide any economic or public benefit however and therefore it is considered that whilst this proposal is acceptable in respect of its impact upon a curtilage listed structure it is certainly not a positive proposal that will enhance the significance of the curtilage listed structure or the setting of the Grade II listed building.

### **Conclusion**

The proposal accords with national and local planning policy in respect of heritage and will result in an appropriately designed alteration to a curtilage listed structure. Whilst there will be some harm to the significance of the wall, primarily the loss of historic fabric, it is not considered to be so harmful as to warrant refusal of this application. Therefore consent should be granted.

#### **Background Papers**

Title of Document:

Date:

Contact Officer:

Alan Davies, Development Officer on 01536 534316

#### **Previous Reports/Minutes**

Ref:

Date: