**DELEGATED REPORT**

**Recommendation Made:**

**Reference:- 11/00320/FUL** **Parish:- Groby Parish Council**

**Applicant:- J Everson Crane**
**C/o Agent**

**Location:- Pool House Cottage From A50 Markfield Road To Pool House To Newtown Linford Lane Newtown Linford Lane Groby Leicester**

**Proposal:- ERECTION OF TWO DETACHED GARAGE BLOCKS**

**Introduction:-**

This is a full application for the erection of two detached garage buildings required in connection with the dwellings approved under references 10/00213/FUL and 10/00214/LBC which comprises the part demolition, extensions and alterations of buildings to form three dwellings at Pool House, accessed via a secure, gated road off Newtown Linford Lane, Groby.

This is a revised application following the withdrawal of application 11/00075/FUL. This application provides two garage blocks, one with a single garage and woodstore which is to be sited on the foundations of an existing building which is to be removed, the other with three garages, which will require the removal of three trees and also some wooden structures including a dog enclosure and car port. The three garage block has been reduced in size from the original withdrawn scheme. The proposed materials are timber clad walls, oak or ash doors and Welsh slate for the roof. There are roof lights proposed one for each garage.

Pool House is located to the north of Groby, adjacent to the southern edge of Groby Pool and set within 2.1 hectares. The complex comprises of Pool House itself (a Grade II listed building, unoccupied since the 1970's and in need of extensive and significant renovation work), together with curtilage buildings comprising of: an annexe known as Maids Cottage; Pool House Cottage (a residential conversion of a range of outbuildings occupied by the applicants); Pool House Barn (an additional range of outbuildings currently used for domestic storage purposes) and Pool House Lodge (the former lodge to the main Pool House). There is a belt of mature trees to the south, west and north of the complex that provides effective screening, some of which are protected by a Tree Preservation Order. Beyond this to the south and west are agricultural fields.

The application has been submitted with an Arboricultural Survey which appraises the four trees on site affected by the proposal, all form part of an existing Tree Preservation Order covering the site. Three of the trees are Yew trees and the fourth, a Hornbeam, all have either a 'B' moderate or 'C' low classification. The Yew tree (T1) close to the single garage proposal will be unaffected because the floor slab is existing.

The application has been submitted with a Design and Access Statement which states that the proposal will provide a total of 4 garages, one for each of the dwellings on site, excluding Pool House. The garages are to be timber framed construction clad in timber and the roofs covered with Welsh slate. The proposal has been laid out to maintain the character of the area and to minimise the potential impact on the setting of the existing buildings. The proposed garages will be hidden from public view.

The application has been submitted with a drawing which shows the proposed floor levels and land levels adjacent to the proposal.

History:-

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|---|---|---|
| 11/00075/FUL | Erection of detached garages | Withdrawn 24.03.11 |
| 10/00214/LBC | Part demolition extensions and alterations of buildings to form three dwellings | Approved |

13.05.10

10/00213/FUL Conversion extensions and alterations of buildings to form three dwellings Approved 13.05.10

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|---|---|---|---|
| 09/00762/LBC | Part Demolition, Extensions and Alterations of Buildings to form Three Dwellings | Withdrawn | 22.12.09 |
| 09/00761/FUL | Part Demolition, Extensions and Alterations of Buildings to form Three Dwellings | Withdrawn | 22.12.09 |
| 98/00746/LBC | Alterations and Extension to Outbuildings | Approved | 11.11.98 |
| 93/01056/LBC | Alterations to Garage | Approved | 07.02.94 |
| 93/00744/4L | Alterations and Extensions to Outbuildings | Approved | 30.09.93 |
| 93/00743/4 | Alterations and Extensions to Outbuildings | Approved | 30.09.93 |
| 93/0474/4 | Change of Use of Outbuildings and Part of Main House to Conference, Design and Audio/ Visual Production Offices. | Approved | 01.07.93 |

**Consultations:-**

No objections received from:

The Director of Environment and Transport (Highways)
Groby Parish Council , subject to neighbours being consulted.

No objection subject to note to applicant from The Head of Community Services (Land Drainage).

The Director of the Chief Executive (Ecology) recommends a watching brief during demolition

**Development Plan Policies:-**

Central Government Guidance

Planning Policy Statement 1 (PPS1): ‘Delivering Sustainable Development’
Planning Policy Statement 5 (PPS5): ‘Planning for the Historic Environment’
Planning Policy Statement 7 (PPS7): ‘Sustainable Development in Rural Areas’
Planning Policy Statement 9 (PPS9): 'Biodiversity and Geological Conservation'

Local Policy

Hinckley and Bosworth Local Development Framework: Core Strategy (2009)

The Core Strategy sets out the overarching strategy and core policies to guide future development in the borough. Paragraph 3.28 highlights the need to safeguard valuable assets such as listed buildings and sites of cultural heritage interest. Spatial Objectives 10 and 11 seek to protect the borough’s archaeological heritage and safeguard, enhance and where necessary regenerate the borough’s distinctive built environment including listed buildings.

Policy 21: ‘National Forest’ requires the siting and scale of development to be related to its setting within the Forest and respect the character and appearance of the wider countryside. Developments are required to provide on site or nearby landscaping that meets the national Forest planting guidelines.

Policy 22: Charnwood Forest requires development to retain local character and compliment the local landscape, enhance woodland and habitat provision and manage and enhance the cultural heritage of the area.

Hinckley and Bosworth Local Plan (adopted 2001)

The site is located outside the settlement boundary of Groby as defined in the adopted Hinckley and Bosworth Local Plan.

Policy BE1 of the adopted Local Plan seeks to secure attractive development and to safeguard and enhance the existing environment. Planning permission will be granted where the development complements or enhances the character of the surrounding area.

Policy BE5 of the adopted Local Plan seeks to preserve and enhance the settings of listed buildings through the design of new development in the vicinity, having regard to the scale, form, siting and design of the proposal.

Policy NE5 of the adopted Local Plan states that the countryside will be protected for its own sake. However, planning permission will be granted for built and other forms of development provided that it is for the change of use of existing buildings (particularly those of historic value) and where it does not have an adverse effect on the appearance or character of the landscape; is in keeping with the scale and character of the existing buildings and general surroundings; will not generate traffic likely to exceed the capacity of the highway network or impair road safety and is effectively screened by landscaping.

Policy NE6 of the adopted Local Plan states that planning permission will not be granted for proposals which would damage Sites of Special Scientific Interest (SSSI’s). Where development is permitted conditions will be imposed to minimise and compensate for any adverse effects on the sites nature conservation.

Policy NE12 of the adopted Local Plan states that development proposals should take into account the existing features of the site and make provision for further landscaping where appropriate.

Policy NE14 of the adopted Local Plan states that planning permission will not be granted for development proposals which will adversely affect the water quality and ecology of watercourses and groundwater resources unless satisfactory arrangements are made for the disposal of foul sewage and surface water.

Policy NE20 of the adopted Local Plan states that planning permission will not be granted for any speculative new building that does not relate to the development or use of the Pool House and Groby Pool within the area or would be detrimental to the area covered by the Site of Special Scientific Interest (SSSI).

Policy T5 of the adopted Local Plan refers to the application of appropriate standards for highway design and parking targets for new developments unless a different level of provision can be justified.

Other Documents

Groby Pool and Pool House Planning Brief (adopted 1988) provides supplementary guidance on the site and requires that new development including alterations, extensions and new buildings should be of the highest standards in terms of design and materials. Private residential use of Pool House and the outbuildings is listed as an acceptable use.

**Appraisal:-**

The main considerations with regards to this application are the principle of development: design; siting; its impact on the listed building and its setting; its impact on the character and appearance of the surrounding landscape within the Charnwood Forest and National Forest and highway safety.

Principle of Development

The site is located within the countryside where policy resists the proliferation of new building. One of the proposed garages will replace an existing unattractive building and utilise the existing floor slab. The other proposal will remove and existing shed and dog enclosure. Whilst the proposals are 'new build' they are considered to be acceptable in terms of scale subject to all other matters being fully addressed.

Design and Siting

Groby Pool and Pool House Planning Brief (adopted 1988) provides supplementary guidance on the site and requires that new development including alterations, extensions and new buildings should be of the highest standards in terms of design and materials. The three garage block has been reduced in size from the original withdrawn scheme. The proposed materials are timber clad walls, oak or ash doors and natural Welsh slate for the roof. There are roof lights proposed one for each garage. The proposal provides for timber walls and slate roofs. The design and materials are considered to be simple and good design acceptable for the site. A condition is proposed to request material samples be submitted and to ensure that the roof lights are of a conservation design.

The site is sloped and the proposed garages will be sited at a lower level than the land to the south which is covered by a belt of trees, this is borne out by the submitted drawing which shows the proposed floor levels and existing land levels surrounding the proposal. Furthermore, the proposal shows that the three garage block is to be 'cut in' to the site with a retaining wall below ground in order to lessen its impact. It will not be visible from outside of the site and will provide an enclosed courtyard feel to the existing outbuildings which is acceptable.

Impact on the Listed Building and its Setting

The main part of Pool House has been vacant for a number of years and as a result its condition has deteriorated considerably. Following their purchase of the property the applicants have undertaken significant works to make the property water tight and to secure it from further deterioration, vandalism and theft. The significant and most historically important element of Pool House will not be directly affected by the proposed development.

Impact upon the Character and Appearance of the Countryside

The site is sloped and the proposed garages will be located at a lower level than the land to the south which is covered by a belt of trees. To the north, the proposed garages face the cottages which screen the proposal from Groby Pool, as such the garages will not be readily seen from outside of the site and will have very little impact upon the surrounding National Forest and Charnwood Forest.

The proposal will remove three trees which have been assessed as category b (moderate) and c (low) importance within the submitted Tree Survey. The applicant has agreed to replant two further trees to compensate for their loss. There is an obvious gap at one part of the site between the tree belts of the south and west, this would appear to provide the most appropriate place for replanting as it will ensure that any view of the build development of the site is limited.

Highway Safety

Given the scale and nature of the development and the location and design of the existing access to Newton Linford Lane that provides good visibility, the development is considered unlikely to have an adverse impact on highway safety. Adequate car parking will be provided within the site. The Director of Environment and Transport (Highways) has no objection to the proposal.

Other Issues

There is no impact on any neighbours caused by the proposal because there are no other nearby residential dwellings.

The Directorate of the Chief Executive (Ecology) has recommended a watching brief, this has been included

as a note to applicant.

Listed Building Consent for the demolition of the existing garage was dealt with as part of application 10/00214/LBC.

Conclusion

Whilst the countryside is protected for its own sake by virtue of Central Government policy and Policy NE5 of the adopted Local Plan, by virtue of their design, materials and siting, the proposed garages are not considered to have an adverse impact on the architectural or historic fabric of the listed building or its setting, the countryside location or highway safety and the application is therefore recommended for approval subject to conditions.

**RECOMMENDATION:- Permit subject to the following conditions:-**

**Summary of Reasons for Recommendation and Relevant Development Plan Policies :**

Having regard to the historic fabric, character and setting of the Grade II listed building and its setting, designs and uses of materials, surrounding development, representations received and relevant provisions of the development plan, as summarised below, it is considered that subject to compliance with the conditions attached to this permission, the proposed development would be in accordance with the development plan as it represents an high quality design and form of development, it is not considered to affect the setting of the Listed Building; and would not have an adverse effect on the character or appearance of the surrounding landscape or highway safety.
Hinckley & Bosworth Borough Council Local Development Framework: Core Strategy (2009):- Policies 21 and 22

Hinckley & Bosworth Borough Council Local Plan (2001) :- BE1, BE5, NE5, NE6, NE12, NE14, NE20 and T5

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

2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows: Site Location Plan, Drawings EC/PHG/9a and EC/PHG/10a received on 26 April 2011.

3 Before any development commences, representative samples of the types and colours of materials to be used on the external elevations of the proposed garages including the retaining wall, shall be deposited with and approved in writing by the Local Planning Authority, and the scheme shall be implemented in accordance with those approved materials.

4 The proposed roof lights shall be of conservation style and shall be fitted flush with the external surface of the roof. Once provided, they shall be so maintained unless agreed in writing with the Local Planning Authority.

5 Before any development is commenced on the site, including site works of any description, Trees T1 and T4 (indicated by number within the Arboricultural Survey dated 3 December 2010) shall be securely fenced off by protective fencing on a scaffolding framework in accordance with B. S. 5837 erected in a circle round each tree at a radius from the bole of 3 metres or to coincide with the extremity of the canopy of the tree, whichever is the greater (in the case of T1 Yew it is accepted that part of the tree is bounded by the floor slab). Within the areas so fenced off, the existing ground level shall be neither raised or lowered, (except as may be approved by the Local Planning Authority as part of the development) and no materials, equipment, machinery or temporary buildings or surplus soil shall be placed or stored thereon. If any trenches for services are required in the fenced-off areas, they shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 5cm or more shall be left unsevered.

6 No development shall take place until a detailed scheme for the replacement of two trees on site has first been submitted to and approved in writing by the Local Planning Authority and these works shall

be carried out as approved within the first planting season following commencement of the development.

**Reasons :-**

1 To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

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

3 To ensure that the development has a satisfactory external appearance to accord with policies BE1and NE5 of the adopted Hinckley & Bosworth Local Plan.

4 To ensure that the development has a satisfactory external appearance and is not detrimental to the appearance of the listed building, to accord with saved policies BE1 and BE5 of the adopted Hinckley & Bosworth Local Plan.

5 The trees on this site are subject to a Tree Preservation Order and this condition is necessary to ensure that proper steps are taken to safeguard the trees during the course of development.

6 To enhance the appearance of the development to accord with policy BE1 and NE5 of the adopted Hinckley & Bosworth Local Plan.

**Notes to Applicant:-**

1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.

2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.

3 As from 6 April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.

4 All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (0116 3052202).

5 Clean surface water from roof areas should be discharged to ditches or watercourses. Vehicle access ways, parking and turning areas should be constructed as permeable paving.

6 A watching brief (maintained by the applicant and all workers on site) for all protected species should be maintained throughout the development. In the event of any protected species being discovered, works should cease whilst expert advice is sought.

**Contact Officer:- Louise Forman Ext 5682**