DELEGATED REPORT

Recommendation Made: 24 April 2009

Reference:- 09/00131/COU **Parish:- Peckleton Parish Council**

Applicant:- Everyman Racing Ltd
Mallory Park Centre
Kirkby Mallory
Leicester
LE9 7QE

Location:- Coach House Inn Church Road Kirkby Mallory Leicester Leicestershire

Proposal:- CHANGE OF USE TO OFFICE ACCOMMODATION

Introduction:-

This application seeks full planning permission for the change of use only of a Listed Building formerly used as a public house, restaurant and motel. It is currently vacant (since January 2009) and is being cosmetically refurbished prior to re-use. The building is C18th and was part of a range of outbuildings/stables belonging to the former Kirkby Manor. It is now located within a complex of buildings of different scale, character and appearance within the Mallory Park Race Circuit boundary in the countryside to the west of the village of Kirkby Mallory.

The part of the building that is the subject of this application is of two-storey red brick construction, part rendered and with plain tiled hipped roof. There is a central pedimented front projection to the south west elevation. There are no external changes proposed to the structure of the Listed Building. Internally, the proposal involves semi-permanent alterations in the form of stud walls/doorways and false ceilings but no removal or permanent alteration of the internal structure. The proposal retains important features within the building such as the former ovens, ingle nook fireplaces, open timber framed roof etc. The proposed offices would have a floor area of approximately 300 square metres and would be occupied by Everyman Racing Limited who currently occupy part of the adjacent single storey range of buildings to the north.

History:-

There is an extensive planning history to the site detailed on workcard 1.

Consultations:-

No objections have been received from:-

English Heritage
Head of Community Services (Land Drainage)
Head of Community Services (Pollution)

No response has been received at the time of writing this report from:-

Other “historic” external consultees detailed on workcard 2
Peckleton Parish Council
Site notice
Neighbours.

Development Plan Policies:-

PPS7 – Sustainable Development in Rural Areas
BE1 – Design and Siting
BE4 – Alterations to Listed Buildings
BE6 – Change of Use of Listed Buildings

EMP4 – Employment Development on Unallocated Sites
NE5 – Development in the Countryside
T5 – Highway Design and Vehicle Parking Standards

Appraisal:-

The main issues in respect of this application are the principle of development and the impact of the proposed change of use on the character and appearance of the Listed Building and the general surroundings.

Both central government guidance in PPS7 and Policy NE5 support the change of use or re-use of existing buildings in the countryside in principle, particularly those of historic value and particularly for commercial type uses and the proposed change of use would not have an adverse effect on the appearance or character of the building itself or its general surroundings, as in this case. Re-use of existing buildings is to be encouraged, particularly where this would contribute to the rural economy and provide sustainable employment opportunities.

Policies BE4 and BE6 also support the change of use of, and alterations to, Listed Buildings where the change would not necessitate internal or external alterations considered detrimental to its character as a building of special architectural or historical interest. Whilst in this case the submitted drawings provide only limited detail in terms of the internal alterations to be carried out and the Borough Council's Conservation Officer had some initial concerns in this respect, it is clear from the site visit that no significant or permanent harm would be caused by the proposed alterations to the internal features of the building that contribute to its architectural and historic interest e.g. former ovens, ingle nook fireplaces, open timber framed roof structure etc. which would all be retained.

There are large areas of existing hard standing available for parking to the west and south and a smaller area to the north. Whilst this would be shared with other commercial uses within the Mallory Park Racing Circuit, it would appear that adequate parking would be available to service the building to meet Policy T5 and without leading to potential parking in the village streets as a result of the proposed development.

Conclusion

The change of use and re-use of existing buildings, including those of historic or architectural interest, in the countryside is acceptable in principle and the proposed development would not have an adverse effect on the character or appearance of the Listed Building itself, its general surroundings or neighbouring uses and adequate shared parking exists in the immediate vicinity to service the proposed offices. The proposed change of use would meet the aims of PPS7 and the criteria of policies BE1, BE4, BE6, EMP4, NE5 and T5 and therefore is 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 pattern of existing development in the area, 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 would involve the change of use of an existing building within the countryside and contribute to the rural economy whilst not being detrimental to the Listed Building or having an adverse effect on the character and appearance of the surrounding landscape, neighbouring uses or highway safety.

Hinckley & Bosworth Borough Council Local Plan (2001) :- BE1, BE4, BE6, EMP4, NE5 and T5

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

2 The premises shall not be used other than for purposes falling within Class B1(a) (Offices) of the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reasons:-

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

2 To ensure that the use remains compatible with the surrounding area to accord with policies BE1, EMP4 and NE5.

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 6th 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. List of plans used in the determination of this application:- Site Block Plan at 1:500 scale, Plan No. 09/00131A/COU including Site Location Plan at 1:2500 scale and Floor Plans at 1:100 scale.

5. This permission relates to the change of use of the building only. If any further alterations are required to either the external or internal structure of the building these may be subject to Listed Building consent.

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