

Item No. 1

Application Reference Number P/18/0174/2

Application Type:	Full Planning Permission	Date Valid:	20/02/2018
Applicant:	Christina Church		
Proposal:	Retention of change of use to dwelling (Class C3) with domestic curtilage and two areas of decking		
Location:	Kennel Block Quorn Hall Quorn		
Parish:	Quorn	Ward:	Quorn & Mountsorrel Castle
Case Officer:	Patrick Reid	Tel No:	01509 634747

Background

This application was reported to the Plans Committee meeting on 17th May 2018. Following the receipt of additional information the Committee resolved that together with two other applications relating to The Stables at Quorn Hall (P/18/0274/2 and P/18/0358/2) the application should be considered at a future meeting of the Committee.

The two applications relating to The Stables have been withdrawn and it is now appropriate to report this application to committee for determination.

The Planning Application

This application is referred to Plans Committee following the 'call in' process by Councillor Shepherd who is concerned about design, traffic and uncertainty about the history of the site.

Description of the Site

The application site is located on the northern side of Huntsman's Close and is part of a group of buildings associated with Quorn Hall.

It is within the Limits to Development and inside Quorn Conservation Area. Quorn Hall and outbuildings are Grade II Listed Buildings. Several of the buildings within the hall complex have been converted to residential dwellings and the Hall itself is used for residential training and education.

Quorn Hall is located to the north of the site, with other associated buildings to the west. The River Soar defines the eastern boundary. The southern boundary fronts Huntsman's Close. There are a variety of detached houses on the opposite side of Huntsman's Close.

The kennels is a 19th century two storey red brick building, situated on the western boundary of the site. To the east, in the centre of the site, is a modern timber clad building used as a gym. The area between the two buildings comprises a lawned garden with vehicular access and parking. The land to the east of the gym building is undeveloped and slopes down to the River Soar. There are a number of mature trees on the southern boundary of the site, adjoining Huntsman's Close.

Description of the Proposals

The application seeks to regularise the change of use of the buildings and associated curtilage from commercial use to a dwelling (Class C3). It also relates to the retention of two areas of wooden decking.

The main kennels building and the gym were previously part of the training and education use of Quorn Hall. In 2017 their use changed to a private dwelling.

Also in 2017 (see Relevant Planning History section below) the applicants submitted applications to seek retrospective Listed Building Consent for new windows (P/17/1678/2) and Listed Building Consent for the installation of thermal cladding inside the building (P/17/1203/2). Listed Building Consent was granted for the windows. The application for the cladding was withdrawn after discussion with officers who advised that consent was not necessary for these internal works.

The application proposes to retain the two storey kennels building as a dwelling. There is one bedroom and a bathroom on the first floor and kitchen and living accommodation on the ground floor. There are no external alterations, apart from the recently approved new windows.

It is proposed that the detached gym building would be used for purposes ancillary to the use of the new dwelling in the kennels. This is a substantial structure and for the avoidance of doubt it is recommended that its use is controlled by a planning condition.

The application proposes the retention of two areas of decking. The first is an 8.4 metres long deck with a curved front with a depth of between 2 and 5.9 metres, raised approximately 0.3 metres above ground level. This is situated in the garden area of the dwelling next to the gravelled access and parking, to the east of the kennels building.

The other area of decking is attached to the east of the gym building, overlooking the River Soar. It is in two sections at slightly different levels, with a total frontage of 22 metres and extending between 2.9 metres and 7.5 metres from the building. The decking is approximately 1 metre above ground level with steps down and wood and steel railings on the higher section.

There is also a new gravel access and parking area.

Development Plan Policies

Charnwood Local Plan Core Strategy (adopted 9th November 2015)

The following policies are relevant to this application:

Policy CS1 – Development Strategy sets out the development strategy for the Borough. This includes a direction of growth which focuses housing development in locations around Loughborough and Shepshed with three Sustainable Urban Extensions. Quorn is one of the seven Service Centres, which are the next tier of settlement considered to be acceptable for development.

Policy CS2 – High Quality Design requires developments to make a positive contribution to Charnwood, reinforcing a sense of place. Development should respect and enhance the character of the area, having regard to scale, massing, height, landscape, layout, materials and access; protect the amenity of people who live or work nearby, provide attractive well managed public and private spaces; well defined and legible streets and spaces and reduce their impact on climate change.

Policy CS13 – Biodiversity and Geodiversity seeks to conserve and enhance the natural environment and to ensure development takes into account impact on recognised features.

Policy CS14 – Heritage sets out to conserve and enhance our historic assets for their own value and the community, environmental and economic contribution they make.

Policy CS25 – Presumption in Favour of Sustainable Development echoes the sentiments of the National Planning Policy Framework in terms of sustainable development.

Borough of Charnwood Local Plan (adopted 12th January 2004) (saved policies)

Where they have not been superseded by Core Strategy policies, previous Local Plan policies remain part of the development plan. In relation to this proposal the relevant policies are:

Policy ST/2 – Limits to Development seeks to restrict development to within the existing settlement limits to ensure that development needs can be met without harm to the countryside or other rural interests. The Limits to development distinguish between areas of development and development potential, and areas of restraint.

Policy EV/1 – Design seeks to ensure a high standard of design and developments which respect the character of the area, nearby occupiers, and which are compatible in mass, scale, layout, whilst using landforms and other natural features. Developments should meet the needs of all groups and create safe places for people.

Policy TR/18 – Parking in New Development seeks to set the maximum standards by which development should provide for off street car parking.

Material considerations

National Planning Policy Framework (NPPF)

Whilst all proposals must be determined in accordance with the development plan, the National Planning Policy Framework, (The Framework), is a material consideration in planning decisions. The Framework contains a presumption in favour of sustainable development and defines 3 roles a development must fulfil in order to be sustainable:

- An economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places to support growth and innovation
- A social role – supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations, and by creating a high quality built development with accessible local services
- An environmental role – contributing to protecting and enhancing the natural, built and historic environment.

In addition the Framework offers the following advice that is particularly relevant to the consideration of this proposal:

- Paragraph 127 lists a set of criteria that all development should seek to achieve, in order to ensure good design.
- Paragraph 170 seeks to minimise impacts on biodiversity and paragraphs 175 and 176 state how this may be achieved in decision making as well as preventing new and existing development from being put at unacceptable risk of soil, air, noise or water pollution.
- Paragraph 180 states that planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account.
- Paragraphs 193-196 highlight the need to consider the impact of development proposals upon heritage assets.

Planning Practice Guidance

ID 26 - Paragraphs 001-003 state that good design matters and what this can achieve through good plan making. Paragraph 004 notes that weight can be given to outstanding or innovative design and developments of poor quality design should be refused. Paragraph 007 states that planning should promote local character. New development should be integrated within existing surroundings.

Planning (Listed Building and Conservation Areas) Act 1990 (as amended)

This consolidates previous legislation relating to special controls in respect of buildings and areas of special architectural or historic merit and sets out what alterations can be carried out to listed buildings and within Conservation Areas

without the formal consent of the local planning authority. The Act also sets out the procedure for local authorities to consider compiling a list of properties considered to be of special architectural or historic interest and how applications affecting such assets are to be advertised.

Leading in Design Supplementary Planning Document (February 2006)

This document encourages and provides guidance on achieving high quality design in new development. Appendix 4 sets out spacing standards for new housing developments to ensure that overlooking and over dominance do not occur and that a good quality design is achieved.

Quorn Conservation Area Character Appraisal (2008)

This has the purpose of examining the historical development of the Conservation Area and describes its present appearance in order to assess its special architectural and historic interest. The appraisal is then used to inform the consideration of management and development proposals within the area. This document describes Quorn Hall and Quorn House as playing little part in the townscape of the conservation area as both are set within their own areas of parkland and are significant features of the village. Quorn Hall was a major employer in the village during its years as host to the Quorn Hunt and this influenced development of the locality.

Quorn Village Design Statement (2008)

This document seeks to record the natural and built features of Quorn that are valued by its residents with the purpose of safeguarding and enhancing the village with appropriate and contextually sympathetic development. This document states that new development should respect the diverse origins of the village and avoid uniformity. Variety and innovative contemporary design is encouraged subject to harmonizing with the scale and character of the immediate locality and the village as a whole. The document seeks to ensure that future developments preserve the essential character of Quorn and to suggest opportunities for appropriate restoration or enhancement. The aim of the document is to safeguard the integrity and independence of the village so that succeeding generations will continue to enjoy, understand and defend its historic foundation.

Relevant Planning History

The application site:

P/17/1678/2 – Retention of replacement windows (Listed Building Consent) - Unconditional Consent

P/17/1203/2 – Installation of thermal cladding (Listed Building Consent) - Withdrawn

P/16/0660/2 – Retention of a single storey extension to the rear and cladding to whole building - Conditional Approval

Wider area:

Various applications made over the years relating to alterations to Quorn Hall and conversion of buildings within the complex to residential properties.

Responses of Statutory Consultees

Conservation Officer

Proposal is likely to result in less than substantial harm to heritage assets.

Charnwood Borough Council Ecologist

No objection.

Environment Agency

No objection.

Lead Local Flood Authority

No comment. Standing advice is applicable.

Campaign to Protect Rural England (CPRE)

Consider that the evaluation of the application is flawed and the main issues which they have raised are:

- Inaccurate summary of planning history and neighbour objections
- Inadequate consideration of options to reduce 'harm' to heritage asset
- Absence of adequate drawings for the change of The Kennels
- Absence of LBC application and no explanation why insulation works did not require LBC
- Failure to address misleading statements in previous applications
- Failure to deal with continuing breaches of planning control
- Unclear about closing date for comments on deferred applications.

Quorn Parish Council

No specific objections to this application.

Supports local residents' concerns about lack of vehicle turning and parking for the canoe centre. Expresses concern about the number of retrospective applications submitted in relation to the Quorn Estate.

Other Comments Received

Meynell Road – 1, 5, Garden Cottage
Huntsman's Close – 1, 3, Huntsman's Cottage

Agent representing residents of Huntsman's Close

Main issues of concern are:

- History of retrospective applications and question intentions of applicants.
- Disregard of planning and heritage legislation.
- Failure of applicant to liaise with neighbours lack of respect for their peace and quiet.
- Disturbance from building works.
- Harm to heritage asset.
- Roadside parking of vehicles on Huntsman's Close obstructs emergency vehicles.
- Drawings are inadequate and fail to indicate extent of works and number of units.
- No details of drainage provided.
- Question whether works have complied with Building Regulations.
- Listed Building Consent is required for the works.
- Change of use will result in loss of Heritage Lottery Funded canoe centre.
- Change of use of site, including gym building, will result in disturbance from canoe centre due to loss of privacy and adverse impact of traffic.
- Request that the canoe use ceases permanently to overcome current concerns about impact of use upon residential amenity and highway safety.
- Disturbance from staff at school.
- Application should be reported to committee.
- Application fails to address extensive landscape works.
- General support for applicant's educational work and operation of canoe centre.

Note that a number of representations refer to the relationship between The Kennels and The Stables ,which were the subject of two applications (ref. P/18/0274/2 and P/18/0358/2). Following the withdrawal of those two applications this relationship is not considered to be relevant to the determination of this application, which only relates to The Kennels.

Consideration of the Planning Issues

The main issues to be considered in the determination of this application are:

- Principle of Development
- Impact upon Heritage Assets
- Impact upon Neighbours
- Highway Issues
- Flooding and Drainage
- Other Matters.

Principle of Development

The principle of development is guided by the development strategy set out in Policy CS1 of the Core Strategy. It directs growth to the edge of Leicester, with the majority

of the remainder being met in Loughborough and Shepshed. Quorn is a Service Centre, which is the next tier of settlements identified for new housing development. The site is within the defined Limits to Development for Quorn. The broad principle of the proposed development is therefore compliant with Policy CS1.

Impact on Heritage Assets

The Government's aim is to promote high quality and inclusive design over the lifetime of developments, and require development to contribute positively to making places better for people. The proposal meets the requirements of central government policy on design in that the development has enabled the adaption of the building to an acceptable alternative use.

The Kennels is listed by virtue of being a curtilage building associated with Quorn Hall, which is Grade II listed, and it is situated within Quorn Conservation Area. As such, potential harm to the heritage assets themselves and their setting requires consideration.

The appearance of the building is not altered by this proposal. The windows were recently replaced, in accordance with Listed Building Consent P/ 17/1678/2 dated 15th January 2018. It was also previously agreed that formal consent was not necessary for the installation of thermal cladding inside the building.

The addition of the decking and alterations to the garden have not had a significant impact upon either the overall character and appearance of the site or the setting of listed buildings. The works to the grounds of the building have been the provision of a gravel drive and parking area in addition to the decking, as detailed above.

The decking attached to the gym building is seen as part of that contemporary structure and does not significantly alter its overall impact upon the listed building and the conservation area. The smaller area of decking in the garden and the gravelled areas have altered the character of the site, but they are domestic in scale and appearance. It is considered that the character and appearance of the conservation area and the setting of the listed building would be preserved by these changes.

The change of use has altered the character of the site. The educational use of the buildings and land generated associated noise and activity associated mainly with students and vehicles. The change of use to a dwelling has probably reduced the levels of noise and activity and has, at least, preserved the character of the conservation area.

The change of use has resulted in minimum impact on the significant historic fabric of the building. It is considered that the change of use of this building has caused less than substantial harm to the designated heritage asset itself and the Quorn Conservation Area and a neutral impact on setting of the principal listed building at Quorn Hall and its other associated outbuildings. This harm can be weighed against the public benefits provided by the proposal in accordance with Paragraph 196 of the NPPF. In this instance it has resulted in bringing an under-used building into current

viable use and helped sustain the long-term maintenance of a heritage asset and, therefore, is considered to be acceptable.

The development therefore accords with Policy CS14 of the Core Strategy and Policy EV/1 of the Local Plan.

Impact on Neighbours

The western side of Huntsman's Close, opposite the application site, is characterised by individual detached dwellings fronting on to the lane. The change of use of this site continues that pattern of development. There are educational uses in other parts of the Quorn Hall complex to the east and north of the application site.

The main windows in the kennels overlook either the garden area of the dwelling itself or a car park to the rear of the building. Dwellings on the opposite side of Huntsman's Close are set back approximately 12 metres from the street frontage. It is unlikely that the use of the buildings and site for domestic, rather than educational purposes, has had a significant detrimental impact upon the amenities of neighbours. The additional domestic activity, outside the times when the educational use was operating, are likely to be similar to those of neighbouring dwellings and are therefore considered to be acceptable.

There has been reference to disturbance due to building works on site, but that was generally temporary in nature and outside the scope of this application.

The site has been used as a base for canoeing activities. Neighbours are concerned that with the change of use to residential this has resulted in mini buses parking in Huntsman's Close and adverse impact upon the amenities of neighbours as canoes enter and leave the River Soar. The applicant has confirmed that this use ceased in June 2018 and that to ensure that the amenities of neighbours are protected would accept a condition to permanently cease the use. However for the reasons discussed in the highways section below, such a condition is not considered necessary.

It is considered that the change of use has not led to a significant detrimental impact upon neighbouring residential amenity and complies with Policy CS2 of the Core Strategy.

Highway Issues

The buildings on the site have a history of various uses. The kennels are being used as a one bedroom dwelling with the provision of 2 parking spaces. It is not considered that the use of the site as a single dwelling generates significantly more traffic movements than previous uses.

There is no evidence that the use is detrimental to highway safety or has led to increased traffic congestion or traffic noise. Neighbours have expressed concern about the adverse impact of traffic associated with canoeists upon the highway safety. As noted above, this use has permanently ceased. The agent representing neighbours suggested that a condition to enforce the closure of the canoeing activity

could be applied to a planning permission for the retention of the dwelling. It is considered that this would be disproportionate and unreasonable.

The access which was used by canoeists is outside the application site. A condition as proposed would be extremely difficult to enforce and would also fail to satisfy a number of the other tests which must be applied to planning conditions.

The change of use complies with Policy TR/18 of the Local Plan.

Flooding and Drainage

The kennels building and the garden area are within Flood Zone 1, which is an area of least risk from flooding.

Part of the gym, including the new decking attached to that building, and adjacent land to the east are in Flood Zone 2 and the margins of the site, bounding the River Soar, are in Flood Zone 3. The sequential test is not applicable to these types of minor development.

The application is supported by a flood risk assessment (FRA). In summary, this concludes that there are local flood defences and that no significant flood risk has been identified at the property. The Lead Local Flood Authority and Environment Agency have no objections subject to standing advice, which has been applied in this case with the submission of the FRA.

There is also insufficient evidence to doubt that the existing public systems are unable to accommodate the drainage of this development.

There are therefore no objections to the proposals with regard to flooding and drainage issues.

Other matters

The Parish Council and many of the objectors have expressed concern that this is the latest in a series of applications seeking retrospective permission for the development of the Quorn Hall site. There have also been comments about unauthorised development.

While these frustrations and comments are appreciated, the application can only be considered on its planning merits. The fact that the development has been carried out, and the behaviour of the applicant, cannot be taken into account as material planning considerations in the determination of this application.

There are ongoing investigations into alleged unauthorised development, which do not preclude the determination of this application.

The CPRE has criticised an earlier version of this report due to inaccurate record of the planning history and the summary of neighbours' representations. It is considered that the planning history is accurate and that the report contains a reasonable summary of neighbours' representations.

Conclusion

It is considered that the change of use of this building has caused less than substantial harm to the significance of the designated heritage asset itself and the Quorn Conservation Area. The public benefit of the building converted to a long term, viable new use is considered to outweigh any harm to the heritage assets. The two areas of decking preserve the character and appearance of the conservation area and the setting of the listed building. The new use has not had any significant adverse impact upon either the amenities of neighbours or highway safety. There are no technical or other material objections to the change of use or the two areas of decking.

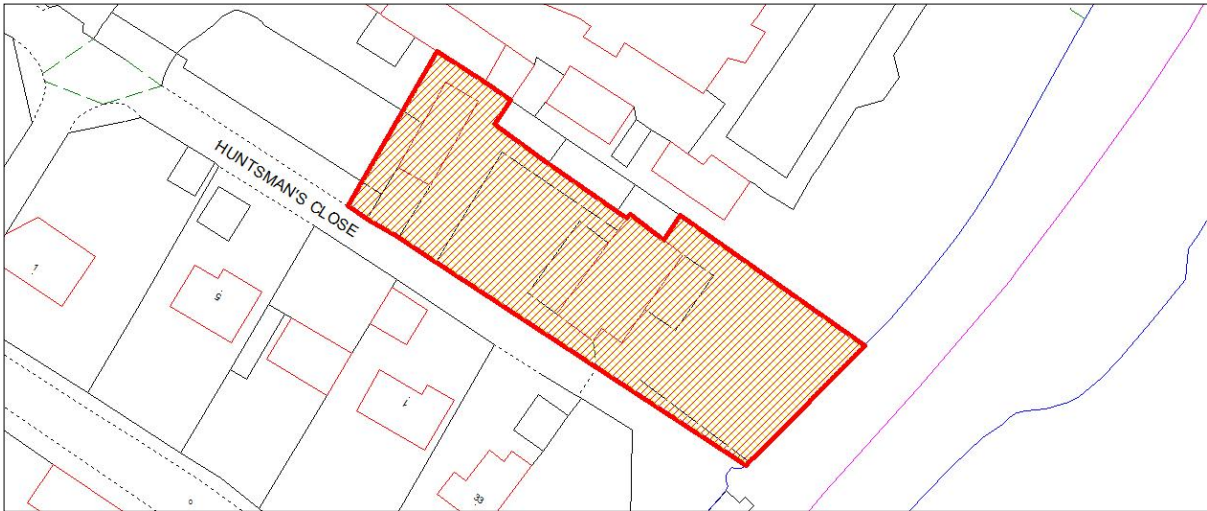
RECOMMENDATION:

Grant Conditionally:

1. The gym building shown on the approved plans shall only be used for private domestic purposes, ancillary to the use of the dwelling hereby approved on this site. REASON: For the avoidance of doubt and in the interests of the amenities of neighbours.

The following advice notes will be attached to a decision

- 1 DEVELOPMENT PLAN POLICIES RELEVANT TO THIS DEVELOPMENT - Policies CS1, CS2, CS14 and CS25 of the Charnwood Local Plan 2011-2028 Core Strategy and Policies EV/1 and TR/18 of the Borough of Charnwood Local Plan have been taken into account in the determination of this application. The development complies with the requirements of these policies and there are no other material considerations which are of significant weight in reaching a decision on this application.
- 2 Planning permission has been granted for this development because the Council has determined that, although representations have been received against the proposal, it is generally in accord with the terms of the above-mentioned policies and, otherwise, no harm would arise such as to warrant the refusal of planning permission.
- 3 In addition, as the proposed development is located within a conservation area, the Council has considered whether it would enhance or preserve its character and appearance. Planning permission has been granted on the basis of the Council's opinion that the development would, at least, preserve that character.



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