

<b>Recommendation: Refusal</b>	
<b>20190693</b>	<b>16 THURMASTON LANE</b>
Proposal:	CONSTRUCTION OF TWO STOREY DETACHED BUILDING WITH SINGLE STOREY LINK TO GRADE II LISTED BUILDING (CLASS D1) ALTERATIONS
Applicant:	DARUL ARQAM EDUCATIONAL TRUST
View application and responses	<a href="http://rcweb.leicester.gov.uk/planning/onlinequery/Details.aspx?AppNo=20190693">http://rcweb.leicester.gov.uk/planning/onlinequery/Details.aspx?AppNo=20190693</a>
Expiry Date:	22 August 2019
PK	WARD: Troon



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## Summary

- Reported because the Head of Planning considers that the application should be considered by the Planning Committee;
- A total of 34 objections received raising concerns about noise and disturbance, highways safety, parking, design, impact on residential amenity;
- A total of 72 letters of support received stating the benefits to the community, types of activities provided, use of the site by different age groups and resolutions to the concerns raised by objectors.

- The main issue is the impact on a Grade II Listed Building
- Recommended for refusal.

## **The Site**

The site comprises a detached two storey grade II listed building. The building has previously been extended with single storey pitched roof extensions projecting into the car park of the site. The original building, dating from late 18<sup>th</sup> Century, was formerly known as Humberstone Grange Clinic which links back to its historic use as part of the Towers Hospital, now redeveloped.

The building was listed in March 1975. The listing describes the building as a red brick house. The listing goes on to describe the building as 'Stucco band and cornice and small parapet. Slate roof with gable ends. *Two storeys. Three windows, sashes, first floor with glazing bars. Modernised entrance and ground floor windows, central round arch double recess with fanlight and flush panelled doors with reeded moulding. Including adjoining small C19 greenhouse attached to south end, cast-iron, round arched with moulded decoration to end cast-iron members.*' The greenhouse has been removed as detailed in the background information below.

The buildings front elevation faces the open space to the west which is accessed off Gypsy Lane to the north and Bovinger Road to the south-west. The site is accessed off Thurmaston Lane which appears to form the main access into the building.

The site is located within the Old Humberstone Conservation Area and within a Critical Drainage Area. The site is within an Archaeology Monument which is described as a late C18<sup>th</sup> former farmhouse with a C19<sup>th</sup> conservatory. The site is surrounded by a number of mature trees; however none of these are subject to a Tree Preservation Order.

## **Background**

The previous clinic was within Class D1 use. The current use also falls within Class D1.

20190692 – Construction of Two storey building with link extension to front and side of building (Class D1) – this is the associated development application which is also on this agenda.

## **The Proposal**

The proposal is for external alterations to the listed building only, comprising of the construction of a flat roof two storey building to the side (south) and front (east) of the listed building. The building would have a footprint measuring 24.6 metres in depth and 8.7 metres in width. The building would be attached to the side (south) elevation of the grade II listed building by a single storey link extension with a footprint measuring 2.2 metres in width and approximately 3 metres in depth. The height of the building would be approximately 6.8 metres which is just short of the eaves height of the host building.

Although the development is described as an extension to the host grade II listed building, it is only an extension by virtue of the 'link' connection. There is no internal access between the host and proposed building.

The link would be situated approximately 9 metres from the front elevation of the host building whereas the two storey element would be set-back by 6-8 metres from the same façade by virtue of its angled siting.

The building would follow the side boundary of the site and retain a separation distance of 3 metre from the 2 metre high timber fence shared with adjacent properties. The siting of the building would create an internal courtyard within the site and the building's north elevation at the ground floor would comprise bi-folding doors and at first floor large elements of glazing.

The external finishes of the building would include the single storey link to be finished with dark grey cladding and the two storey element being a mix of vertical timber cladding, facing brickwork panels with anodised aluminium window and door frames. The proposal would provide a multi-use space to accommodate the facilities provided by the current occupants over two floors.

Part of the footprint of the proposed two storey building and the resultant site layout would result in the loss of some car parking spaces currently available immediately to the front of the host building. A travel plan has been submitted in support of the application. The number of vehicle parking spaces within the site are not identified on the plans but it appears that 8 spaces could be accommodated.

There are two group trees along the southern boundary of the site which are proposed to be removed to facilitate the development. It is also indicated that a Pine Tree to the north of the host building is also proposed to be removed; however this is not close the proposed building.

For avoidance of doubt, amended plans have been submitted only to supplement the submitted plans to provide further clarity on the layout and use of the building.

## **Policy Considerations**

### National Planning Policy Framework (NPPF) 2019

Section 16 places and emphasis on the desirability to sustain and enhance significance of Heritage Assets. Paragraph 184 states that 'these assets (heritage assets) are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations' Paragraph 189 states that the LPA should require an applicant to describe the significance of any heritage assets affected, including any contribution made to their setting. It advises that the level of detail should be proportionate to the assets' importance. It goes on to states that where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require

developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Paragraph 192 requires local planning authorities to take into account the following:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 196 states that where development proposals of less than substantial harm to the significance of a designated Heritage Asset, this should be weighed against the wider public benefits of the proposal Paragraph 200 requires local planning authorities to look for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

#### Development Plan Policies

Development plan policies relevant to this application are listed at the end of this report.

#### Supplementary Planning Documents

Old Humberstone Conservation Area Character Appraisal

### **Consultations**

Conservation Advisory Panel (19<sup>th</sup> June 2019): The Panel's discussion began with unanimous criticism in regards to the spatial and visual relationship of the extension to the Grade II Listed asset on site. Although the contemporary design was endorsed, the overwhelming solid to void ratio associated with substantial areas of timber cladding were evaluated unfavourably. A lighter aesthetic of the two-storey extension was recommended, as was an improved spatial relationship with the host building. The members also commented on the poor execution of the drawings submitted, impeding the legibility of the proposal. Due to the above, an amended set of more detailed drawings with 3D visualizations were requested.

Although the principle of a two-storey extension of comparable scale was not objected to, it was concluded that the current design was not acceptable and needed a much stronger architectural response. The proposal should be subject to significant amendments, to ensure a more successful contextual response.

Georgian Group: Whilst the Group would not wish to object in principle to a new structure on this approximate site, we have considerable concerns regarding the scale and massing of the building proposed. Whilst the scheme's architect has gone to

considerable lengths to mitigate the impact of the proposed new range on the setting of the former house's principal elevation, the proposed development would still cause a degree of harm to the listed building's setting. Paragraph 194 of the NPPF states that 'any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification...'. No such clear and convincing justification has been provided for the work proposed. It is not clear from the documentation available whether the proposed new structure will provide all of the facilities needed by the applicant in the medium to long-term. What is clear is that the site is reaching the limits of the development which can be achieved without causing serious harm to the listed building's setting.

## **Representations**

Objections have been raised from 19 city addresses which raise concerns on the following basis:

- Highways safety, parking management, inconsiderate parking, traffic & congestion, poor quality of the Travel Plan, volume of traffic from all developments in the area and loss of parking
- Loss of trees
- Impact on residential amenity in respect of daylight, overshadowing, light pollution and noise pollution
- Impact on listed building, visual impact and character of the Conservation Area from all developments
- No formal change of use application, behaviour of attendees, health & safety, fire safety and access for emergency vehicles

A petition has also been received with five signatures. This has been included within the above count.

Objections from two addresses have been withdrawn and for avoidance of doubt they have not been included in the above count.

Representations of support have been received from 50 city addresses which identify the following issues:

- Need of community use and improved facilities on site
- Additional staff have been hired to help with parking issues
- Activities provided on site are beneficial to the community
- Marquee on site was only temporary and now removed
- Travel plan submitted to help with parking and congestion

Following a period of re-consultation an additional 15 objections from city addresses and 22 representations in support of the proposal have been received. These have not raised any new issues for consideration.

## **Consideration**

As a listed building consent application, the only consideration in this case is the impact of the works upon the special architectural and historic interest of the listed building.

### Listed Building

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest. Policy CS18 of the Leicester Core Strategy (2014) commits the Council to protect and seek opportunities to enhance the historic environment including the character and setting of designated heritage assets.

The site is a Grade II Listed building (former Grange Clinic) adjacent to the Grade II Listed Grange Cottage and located within the Old Humberstone Conservation Area. There is a range of Grade II Listed and Locally Listed heritage assets located in close proximity to the north and east of the site. The plot is dominated by the designated 18<sup>th</sup> century brick dwellinghouse, accompanied by subservient, later additions to north. The 'polite' façade of the buildings faces the open green space to the west which provides the most prominent visual façade of the building. Part of the north and south boundaries of the site are characterised with mature trees which screen the site from wider residential development of the old Towers Hospital.

The proposal is for a two-storey extension to the immediate south-east of the Grade II Listed building, within its curtilage, with a single storey link to the designated property. A Design and Access Statement submitted as part of the application identifies the designated status of the property and the locality under consideration.

The proposed development would be situated in an area which is highly prominent in creating the setting of the building. This space is currently not built on and comprises some hardstanding used as informal parking with two groups of trees. There is a small stone wall to the side of the listed building.

The proposed development is two storeys in height and of a footprint significantly larger than the primary 18<sup>th</sup> century building. The scale and mass of the development is considered inappropriate and excessive and one which would be visible from not only within the site but also from views from the south and west. The proposal would not only diminish the visibility of the heritage asset but also erode the dominant nature of the property on site.

The single storey link creates an awkward conjunction between the two storey bulk of the proposal and the host building. There has been no rationalisation of the location and alignment of the single storey link which provides no internal links between the existing and proposed built form. In terms of its functionality and appearance the development appears independent of the heritage asset and would not relate well to the listed building.

In terms of design and materiality the design approach of a modern addition on site is the most suitable choice. However the excessive scale and mass of the building combined with the use of timber cladding and brick work to the external finishes is

considered not to maintain or enhance the heritage assets itself or enhance the setting of the same. The asymmetric and mis-matching window composition further makes the development appear at odds within its surrounding.

The proposed development would block views to the 18<sup>th</sup> century heritage asset from the south with an almost wholly blank elevation. The scale, mass and height of the building would fail to preserve the setting of the Grade II listed building which is defined as a free-standing dwelling house. Further to this the development would erode the visibility of the building and thus diminish its importance.

Turning to the objections received, I note that there are other concerns relating to the development. These are addressed in the associated development application under reference 20190692.

The proposal, for the construction of two and single storey extensions to the Grade II listed building would result in substantial harm to the significance of the listed building. The proposal would erode the character of the heritage asset and diminish its visual prominence thus harming the setting of the listed building. As such, the works would not preserve the listed building's special interest and would not protect the character of this designated heritage asset, contrary to Policy CS18 of the Leicester Core Strategy (2014).

Accordingly I recommended that this application for listed building consent be REFUSED for the following reason:

#### REASONS FOR REFUSAL

1. The proposed development by reason of its excessive scale and siting combined with poor design and materiality would result in substantial harm to the significance of the Grade II Listed Building. The proposal would fail to preserve or enhance the listed building's special architectural and historic interest and would not protect the character of this designated heritage asset, contrary to paragraphs 193 and 195 of the NPPF 2019 and Policy CS18 of the Leicester Core Strategy (2014).

#### NOTES FOR APPLICANT

1. For avoidance of doubt, this application is refused on the basis of application form, supporting information and plans submitted on 09/04/2019.

#### **Policies relating to this recommendation**

2014\_CS18 The Council will protect and seek opportunities to enhance the historic environment including the character and setting of designated and other heritage assets.

