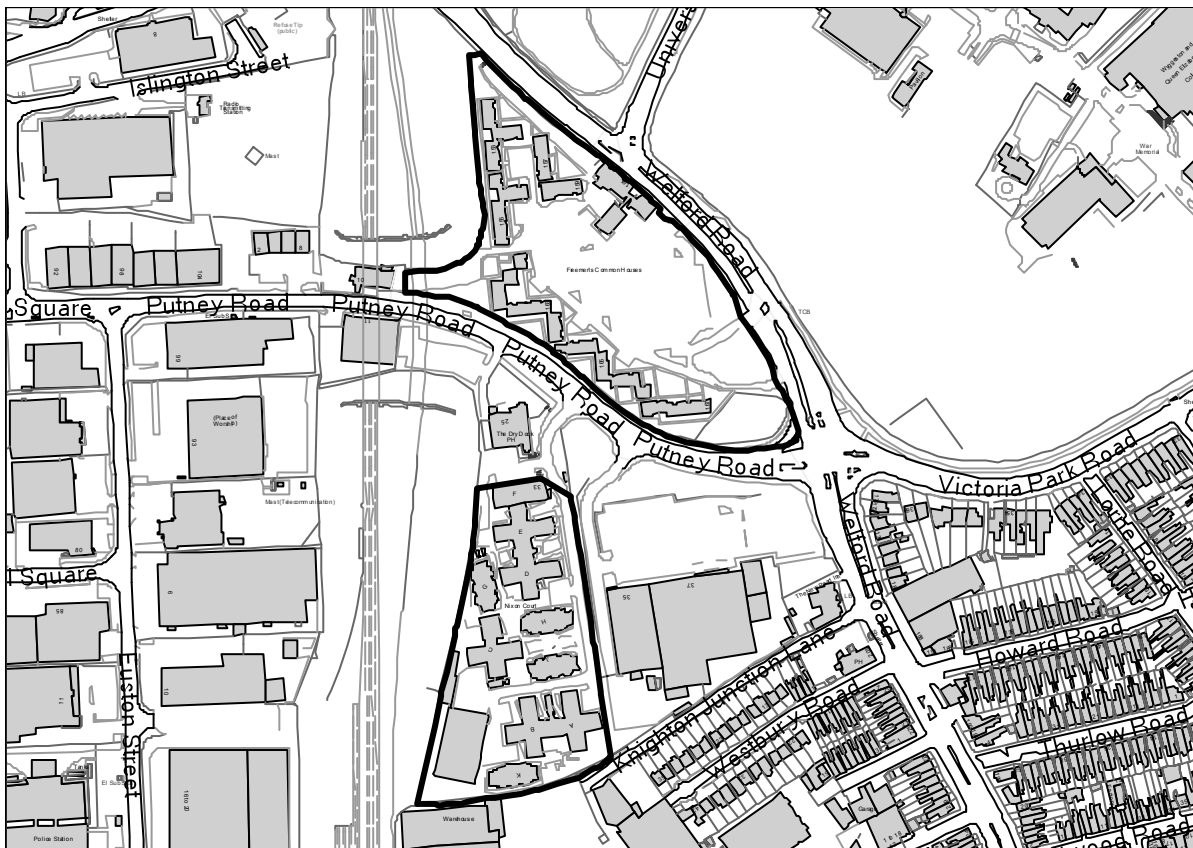


<b>Recommendation: Conditional approval</b>	
<b>20180562</b>	<b>161 WELFORD ROAD, FREEMEN'S COTTAGES</b>
Proposal:	INTERNAL AND EXTERNAL ALTERATIONS TO GRADE II LISTED BUILDING
Applicant:	UNIVERSITY OF LEICESTER, EQUITIX AND KIER
View application and responses	<a href="http://rcweb.leicester.gov.uk/planning/onlinequery/Details.aspx?AppNo=20180562">http://rcweb.leicester.gov.uk/planning/onlinequery/Details.aspx?AppNo=20180562</a>
Expiry Date:	15 March 2019
WJJ	WARD: Castle



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### Summary

- This application for Listed Building Consent has been brought to the Planning Committee as, along with Planning Application 20180450, it is part of a significant scheme for the city. It should be read alongside 20180450.
- Objections to Planning Application 20180450 cover a wide range of issues. They mainly concern whether student accommodation is acceptable here, the appearance of the scheme, the impact on residential amenity and concerns regarding the highway and traffic. Objectors are not concerned with the changes proposed under this application for Listed Building Consent.
- The issue is the impact of the proposal on the architectural and historic interest of this Grade II Listed Building and its setting.

- The application is recommended for Approval subject to conditions.

## **The Site**

The application site for Freeman's Cottages, 161 Welford Road, is for a small part of the Freeman's Common site which lies between Welford Road, Putney Road and the railway. Much of this site consists of a surface car park, student accommodation dating from the 1970's and landscaping. Next to the junction of Welford Road and University Road are Freeman's Cottages. They are Grade II Listed.

On the other side of the Welford Road is the Grade II Listed Welford Road Cemetery. Further afield a more listed buildings, the Grade II Listed Victoria Park, and buildings on the Local Heritage Asset Register.

## **Background**

### Freeman's Common

Shortly after the Norman Conquest the merchants of Leicester were granted a charter. This enabled them to reform the Guild of Merchants and to carry out their business with the same rights and privileges that they had enjoyed before the Norman Conquest. In time the merchants of the Guild became known as Freeman. Shortly before 1835, land to the south of Leicester, was granted to the Freeman under the Enclosure Acts.

The 1884/1888 map indicates the Freeman's Common site was part of a much larger area of common land that ran from the Welford Road to the Aylestone Road; Freeman's Common. During the nineteenth century Freeman's Common was divided by the railway coming into Leicester from the south and the line leading to Burton-on-Trent.

The 1903/1904 map indicates the Freeman's Common site was used for allotments by that time. The historical maps indicate the site continued to be used for allotments till around the 1950's when the Freeman's Common Trading Estate to the west of the railway line was developed.

The Freeman's Common site was developed under two permissions for student housing; in 1973 with permission 026629 and in 1975 with permission 19750553. Minor alterations have taken place since then.

### Freeman's Cottages

Freeman's Cottages were built to provide accommodation for the aged Freeman and Freeman's widows. They are former alms houses which were built in 1856 and enlarged in 1885. Further accommodation was provided in a separate block of cottages built in 1893. These were linked to the original row in the early twentieth century. Extensions were added to the rear in the 1990's (19900761 and 19921793). Freeman's Cottages were listed in 2005. Historic England's Listing Record states that '*Freeman's Cottages are of historic importance for their association with the Freeman of Leicester and represent an interesting example of relatively unaltered alms houses dating from the Victorian period.*'

## **The Proposal**

The proposal involves removing the two rear extensions on the Cottages from the 1990's and building a new single storey extension to house and area for study and

social purposes. The single storey extension is a light modern structure with a lot of glazing.

A series of alterations to the Cottages include:

- Changing a former door that was changed to a window back to a door
- Removing a large external flue
- Removing concrete chimney caps
- Installing some small vents in the roof
- Internal works: removal of some original internal walls and doors, removal of some later internal partitions, addition of some new internal doors and partitions, general redecoration, installation of platform lift, additional toilet facilities and mechanical ventilation infrastructure

The railings around the Cottages next to the Welford Road will be removed along with two brick piers and the plinth under part of the railings to the north of the Cottages.

## **Policy Considerations**

### National Planning Policy Framework (NPPF) February 2019

Paragraph 2 states that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.

Paragraph 11 contains a presumption in favour of sustainable development. For decision-taking this means:

*c) approving development proposals that accord with an up-to-date development plan without delay; or*

*d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

*i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*

*ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

Paragraph 12 indicates the ‘*presumption in favour of sustainable development does not change the statutory status of the development plan for decision making.*’ It goes on to state that ‘*where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.*’

Of particular relevance to this scheme are the following paragraphs.

Paragraph 92, parts a) b) and c), state - *To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:*

*a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public*

*houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;*

*b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;*

*c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;*

*Paragraph 124 states - The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.*

*Paragraph 127 states - Planning policies and decisions should ensure that developments:*

*a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*

*b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*

*c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*

*d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*

*e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*

*f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users<sup>46</sup>; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

*Paragraph 128 states - Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.*

*Paragraph 130 states - Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.*

*Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).*

Paragraph 190 states - *Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.*

Paragraph 192 states - *In determining applications, local planning authorities should take account of:*

- 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 193 states - *When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*

Paragraph 196 states - *Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*

Paragraph 200 states - *Local planning authorities should look for opportunities 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.*

#### Other planning and material considerations

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

Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 outlines the statutory duty of local planning authorities to have special regard to the desirability of preserving the building and its setting and any features of special architectural or historic interest which it possess.

#### **Consultations**

##### Historic England

Historic England welcomes the enhancement and integration of the Cottages within the overall scheme and the removal of the rear extensions.

## **Representations**

### Conservation Advisory Panel (CAP)

The panel were broadly supportive of the scheme as they considered it would result in benefits to the condition of the listed building and its immediate setting without damage to longer views of other heritage assets. The proposed rear extension to the listed building and new landscaping were supported.

The panel also made comments regarding the impact of proposals of new buildings on the Cottages put forward under application 20180450.

### Other representations

Objections from the Civic Society, Biffa and sixty-one objections from members of the public have been received. However these raise issues that relate to matters addressed by planning application 20180450 and are not specific to matters put forward under this application for listed building consent.

## **Consideration**

The Cottages already provide a small landmark on the University Road and Welford Road junction. With the creation of a square to the rear of them and a modern light extension to link them to the square the Cottages will become a central focus within the Freeman's Common Site. This is welcomed as this will help with the appreciation of these historically significant buildings.

The two rear extensions from the 1990's do not make a positive contribution to the function and appearance of the Cottages. The sense of place for the area at the rear of the Cottages is poor with the extensions having a few small windows overlooking the adjacent vehicle parking areas. The replacement of these rear extensions with a modern light extension that will form one side of a square is welcomed. The proposed extension is in a style that markedly contrasts with the Cottages and so will clearly read as a later addition. However due to being single storey and with a light appearance it will be subservient to the scale and appearance of the Cottages. The linking of the Cottages to the square through this extension with a lot of glazing will significantly improve the study and social related functions of the Cottages.

The railings at the front of the Cottages are pleasant but may have been installed when there was less vehicular traffic on the Welford Road and fewer people using the pavement here. The amount of space between the Cottages and the Welford Road vehicle carriageway is tight. The railings reduce this tight space further leaving a narrow pavement. While the railings are pleasant they do not function well in this context. Removing the railings gives the opportunity to widen the pavement. On balance I consider this is more desirable than retaining the railings.

The Cottages were included in the Historic Building Photographic Survey for the site that has been submitted.

### Conclusion

The scheme has many benefits. The removal of the extensions from the 1990's and their replacement with a light and subservient extension leading onto a square and in a style that contrasts with the Cottages together with the various works to the Cottages will much improve the appreciation and function of these Grade II Listed Cottages.

While the loss of the railings next to the Cottages is unfortunate on balance their removal will promote the greater good of pedestrian movement around a building that forms a small scale landmark within the area and will do so within the context of the whole scheme for this site.

I recommend that this application is APPROVED subject to conditions.

#### CONDITIONS

1. The works to which this consent relates shall be begun within three years from the date of this consent. (To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.)
2. Prior to the commencement of works, a full schedule of internal works shall be submitted to and approved in writing by the City Council as local planning authority. This shall include:
  - i) a room-by-room schedule confirming the extent of repair and alteration works to all walls, floors, ceilings and historic features
  - ii) floorplans confirming the location and method of installation of all new plumbing, pipework and electrical wiring
  - iii) details of the location and methodology of any fire protection and acoustic separation works
  - iv) type of construction and method of installation of all new stud-partition wallsWorks shall be carried out in accordance with the details approved. (To maintain the character and appearance of the Grade II Listed Freeman's Cottages and in accordance with policy CS18 of the Core Strategy.)
3. Prior to the commencement of works, samples of all new materials to be used for the works shall be submitted to and approved in writing by the City Council as local planning authority. Works shall be carried out in accordance with the details approved. (To maintain the character and appearance of the Grade II Listed Freeman's Cottages and in accordance with policy CS18 of the Core Strategy.)
4. This consent shall relate solely to the submitted and amended plans as detailed on the Approved Plans Drawing List (dated 15th of March 2019), unless otherwise submitted to and approved in writing by the City Council as local planning authority. (For the avoidance of doubt.)

#### NOTES FOR APPLICANT

1. Please note this consent should be read in conjunction with Planning Permission 20180450.

#### **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.