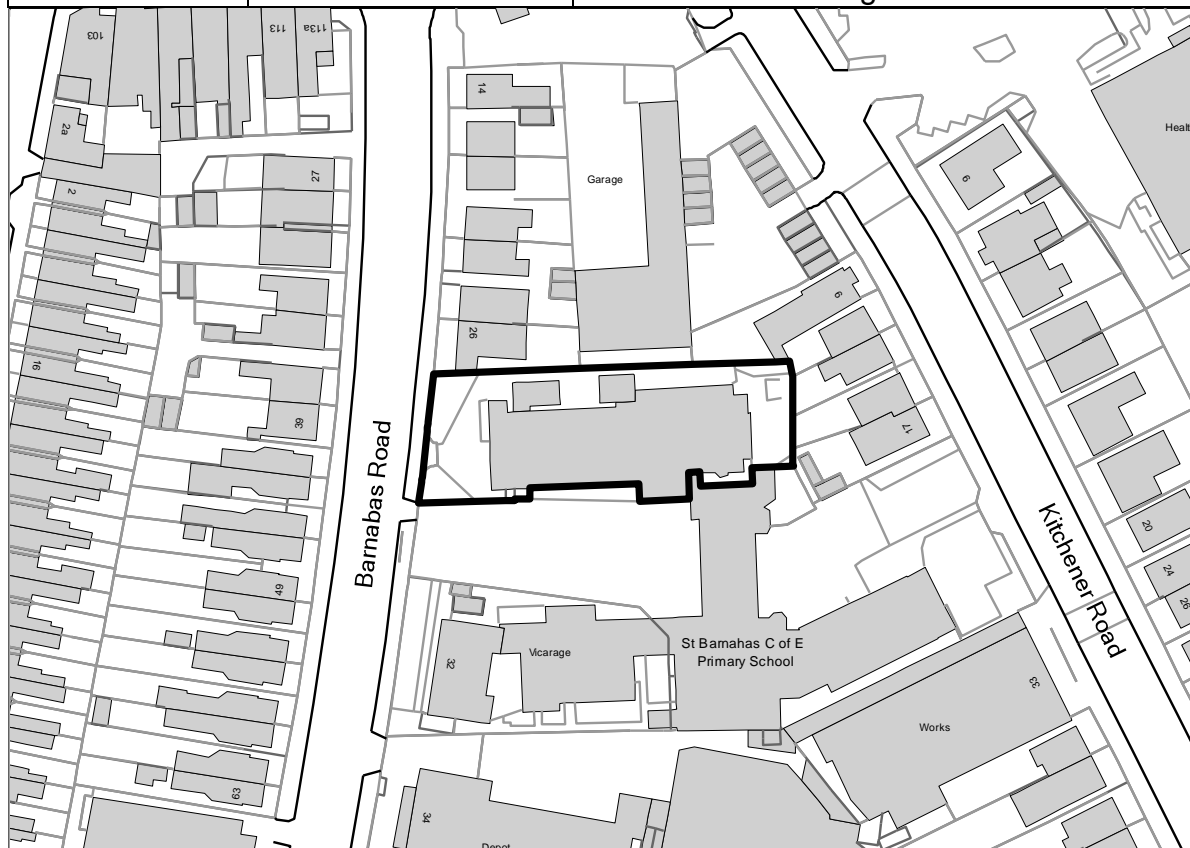


20202123	28 St Barnabas Road	
Proposal:	Change of use from function hall, to function hall and restaurant (Sui Generis): single storey extension to side; installation of ventilation flue to side of main building.	
Applicant:	MR E. SABAT	
App type:	Operational development - full application	
Status:	Minor development	
Expiry Date:	18 January 2021	
SSB	TEAM: PD	WARD: North Evington



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Summary

- Application at committee at officer discretion.
- No representation from the public but Conservation Advisory Panel object to the impact upon the listed building.
- The main issues are the principle of use and the impact of the proposal on the character and appearance of the Grade II Listed Building and its surroundings.
- Recommended for refusal.

Introduction

This application relates to St Barnabas Church (Class D1) a Grade II listed building. The church was deconsecrated in 2011. It is located in a residential area and within flood zone 2.

There is a parallel Listed Building consent planning application (20212124) for the installation of a flue to the Grade II Listed Building and the addition of the extension.

To the north of the site is a row of semi-detached houses and a vacant garage, to the east a row of semi-detached houses, to the south St Barnabas Primary School, a Hindu temple and library and to the west directly opposite a further row of houses.

Background

20131559 Change of use from church to function hall was approved by Planning Committee.

The Proposal

The applicant proposes a single storey extension attached to the listed building and the installation of an external flue.

A single storey extension proposed is located along the northern boundary of the site, measuring approximately 2.2m wide to the east and expanding to 4.7m wide on the western side. It has a total length of approximately 16.7m and a flat felt roof with a height of 2.7m and a ridge height of 4m, thus adding an additional 60sqm of floor space. The extractor flue has a total height of 10.3m from the ground would be located on the flat roof and attached to the main building.

This is apparently proposed to either replace or adapt a wooden structure which has already been installed without consent. This is likely to be subject of further investigation and possible Enforcement Action.

The external materials proposed are timber cladding and felt roof for the extension. The proposed flue is of untreated steel construction.

There is no increase in the floor area of the current banqueting hall. The application form indicates the proposal would employ two additional full time-staff.

The applicant has confirmed the opening hours for the restaurant would be Monday to Friday: 0700 – midnight; Saturday: 0800 - midnight; Sunday: 0800 – midnight.

Policy Considerations

National Planning Policy Guidance (NPPF) 2019

Paragraphs 2 and 11 (Presumption in favour of Sustainable Development)

Paragraph 127 sets out criteria for assessing planning applications and requires decision makers to ensure that development proposals: -

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 users⁴⁶; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 130 – 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.

Section 16 places and emphasis on the desirability to sustain and enhance significance of Heritage Assets.

Paragraph 189 - In determining applications, local planning authorities (LPAs) should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. 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 190 - Local planning authorities should identify and assess the 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 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 193 - 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 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, including, where appropriate, securing its optimum viable use.

Development Plan policies

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

Supplementary Planning Documents - Residential Amenity SPD.

Consultations

Conservation Advisory Panel - The Panel focused on the design, materiality and quality of the two modern side extensions already on site, considered as harmful additions to the Grade II Listed building under consideration. The members agreed that the information submitted is inadequate/insufficient to fully assess the harm but concurred that the scheme as proposed is not acceptable, as it would fail to sustain the significance of the designated heritage asset.

Pollution Control Not satisfied that the proposed development will not be detrimental to occupiers of the closest residential premise. Further details are required of the predicted noise level at 3m, or some other specified distance, from the ducting/fan/silencers as installed.

Representations None received.

Consideration

Principal of the proposal

The former St Barnabas Church, is a Grade II listed building of 1882 by architects Goddard and Paget, now used as a wedding reception venue. The proposal is also located near the former St Barnabas Vicarage, a locally listed building (LL/174). The former Church and Vicarage have group value with St Barnabas Church of England School.

The proposal is for a timber framed kitchen extension, with an extractor flue, on the north side linked to the former church building. There is an existing timber framed structure on the same location. It is not certain to what extent this extant structure will be incorporated within the proposed extension.

The proposal is physically linked to the main building, but the plans are not clear of the points of attachment/abutting. The proposed extension is of a considerable size (16m in length) and screens a significant element of the current building along one elevation. Furthermore, the materials proposed for the extension are timber cladding and a felt roof. These materials are not in keeping with the structure, style and finishes of the Grade II Listed Building.

I consider that the proposed extension is crudely designed, is of poor materials and its location so close to the listed building would harm the special architectural significance of the listed building. The proposal does not preserve the building or the features of special architectural or historic interest which it possesses.

I consider that the proposal would substantially detract from the significance of the Grade II Listed Building.

Conclusion

The proposal is not an acceptable addition to the Grade II Listed Building.

Notwithstanding that assessment and though the level of detail provided is insufficient to make a full assessment of the impact of the proposal. I consider that the proposal will as a minimum result in less than substantial harm to the significance of a designated heritage asset, and this harm is not outweighed by any public benefits of the proposal including, securing its optimum viable use.

I recommend REFUSAL for the following reasons: -

REASONS FOR REFUSAL

1. The applicant has not shown that the extension by reason of its size, design and position would not result in harm to the historical, aesthetic and evidential value of the heritage asset and therefore its significance through the concealment of historic architectural features - buttresses and side entrance arch. Although this harm is less than substantial this is not outweighed by any public benefit of the proposal, contrary to policy CS18 of the Leicester Core Strategy and NPPF paragraph 196.
2. The extension and the addition of the ventilation flue would disrupt the appearance of the listed building and the nearby historic assets. The applicant has not shown that the proposal would not harm the building's historic and architectural significance and value. Although this harm is less than substantial this is not outweighed by any public benefit of the proposal. The proposal is therefore contrary to policy CS18 of the Leicester Core Strategy and NPPF paragraph 196.

NOTES FOR APPLICANT

1. For avoidance of doubt, this Planning Application is refused on the basis of the application form and plans received on 3/11/2020.

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.
- 2006_PS10 Criteria will be used to assess planning applications which concern the amenity of existing or proposed residents.
- 2006_UD06 New development should not impinge upon landscape features that have amenity value whether they are within or outside the site unless it can meet criteria.
- 2014_CS03 The Council will require high quality, well designed developments that contribute positively to the character and appearance of the local natural and built environment. The policy sets out design objectives for urban form, connections and access, public spaces, the historic environment, and 'Building for Life'.

