



Report to Planning Committee 20 April 2023

Business Manager Lead: Lisa Hughes – Planning Development

Lead Officer: Clare Walker, Senior Planner, 01636 655834

Report Summary			
<b>Application Number</b>	22/00852/FUL		
<b>Proposal</b>	Change of use and conversion of hall to 8 new apartments with new bin and cycle store		
<b>Location</b>	Ollerton Hall, Main Street, Ollerton		
<b>Applicant</b>	Severns Developments (Middleton House) Ltd	<b>Agent</b>	Brick Architects
<b>Web Link</b>	<a href="https://www.newark-sherwooddc.gov.uk/22/00852/FUL">22/00852/FUL   Change of use and conversion of hall to 8 new apartments with new bin and cycle store   Ollerton Hall Main Street Ollerton Nottinghamshire NG22 9AD (newark-sherwooddc.gov.uk)</a>		
<b>Registered</b>	14.07.2022	<b>Target Date</b>	07.09.2022
		<b>Extension of Time</b>	28.04.2023
<b>Recommendation</b>	Approve, subject to conditions (to follow).		

**In line with the scheme of delegation, this application is being referred to the Planning Committee for determination as the Council currently retains ownership of the building.**

### 1.0 The Site

The application site is situated on the western side of Main Street, within the defined built up part of Ollerton (a ‘Service Centre’ as defined by the Core Strategy) and within its Conservation Area. Part of the site (along the north-west boundary) lies within Flood Zones 2 and 3 of the adjacent River Maun.

Ollerton Hall is Grade II\* Listed. It is a three-storey Ashlar dressed brick and hipped plain tile roof country house circa 1700 within a generous associated curtilage and in an elevated

position, allowing it to enjoy views from all elevations. Internally the building retains a limited number of original features although the plan form of the building is still readily visible despite the many alterations the Hall has endured over the years. The site is bounded by a 2 metre high brick wall and fencing to Main Street.

To the north lies the river Maun and its periphery vegetation. To the east and south, the site is bound by a mixture of vegetation and trees. The site slopes from the east down to the River Maun on the western boundary. Along the northern boundary of the site are three modern dwellings. To the south and east, on the opposite side of Main Street are more dwellings of differing age.

There are mature trees along and close to the south-western boundary of the site and part the way along the boundary with the river Maun. An isolated group of Fir trees has been protectively enclosed at the northern end of the site. Within the curtilage, the site is overgrown. Previous development that had taken place by the partial erection of two extensions to the north elevation of the Hall and an extension to the west, in between the Hall and the river have now been removed from the site.

## **2.0 Relevant Planning History**

**84/00687** and **84/00687(LB)** - 'Restoration/Conversion to Residential Home for the Elderly' and associated listed building application for 'Internal Alterations & Alterations to doors & windows to form home for the elderly'. Both were granted 23/01/85.

**89/01420** and **89/01420(LB)** - 'Renovation of hall to form a health care building including a single storey extension- and its associated listed building application which were both approved on 30/01/90 and 23/03/90 respectively. This scheme has been implemented and a start has been made to the extensions. Work on the extensions commenced in November 2007 although the larger extension to the west was not built in accordance with the approved plan. This led to the submission of the further applications (as follows) which were to regularise the position.

**08/00703/FULM** and **08/00704/LBC** – 'Erection of single storey extensions to provide additional nursing home accommodation' and 'Erection of single storey extensions' both approved on 06/02/09. The Local Planning Authority did not agree to the discharge of the materials condition. It was never pursued further by the applicant and accordingly these consents expired on 5<sup>th</sup> February 2012. These extensions were commenced under the 1990 consent but the extension to the west was not being erected in accordance with the approved plan. I understand that this was because it was too close to a sewer that crosses the site. As such the applicant submitted a fresh planning application in 2008, which was approved but the conditions were not discharged, hence the applicant did not make a lawful start. It therefore follows that part of what has been erected on site so far is unauthorised.

**12/00415/FULM (& 12/00417/LBC)** - Alterations and extensions to form a total of 25 dwellings. Provision of associated parking, public open space, bins stores and flood compensation. Refused due to 1) harm to listed building itself 2) harm to setting of grade II\* building 3) failure to demonstrate safe in flood risk terms 4) lack of affordable dwellings without justification 5) lack of community facilities contribution and 6) adverse impact on

highway safety. Appeals were lodged (APP/B3030/A/13/2190642) and dismissed on 1<sup>st</sup> October 2013.

**PREAPP/00176/21** – Conversion to 9 residential apartments, advice given June 2021

**PAFU/00221/21** – Conversion to 8 residential apartments, advice given September 2021

**22/00853/LBC** - Refurbishment of hall to provide 8no. new apartments. Pending Consideration.

### **3.0 The Proposal**

Full planning permission is sought to convert the hall into 8 apartments. Following amendments, a detached garage building to the north-west of the hall has been deleted from the scheme. A detached cycle and bin storage building is proposed to the north-east adjacent to Main Street. Associated formal landscaping is proposed immediately in front of the hall. A total of 22 car parking spaces are proposed alongside the northern boundary and to the north-west. Vehicular access would be via the existing vehicular entrance on Main Street.

#### Conversions

##### *Ground Floor*

Unit 1 comprises 141m<sup>2</sup> of floor space with an open plan kitchen/dining/living area, cloakroom, 4 bedrooms (1 with ensuite) and separate bathroom.

Unit 2 comprises 105m<sup>2</sup> of floor space with kitchen/diner, living room, utility, bedroom and shower room.

Unit 3 comprises 84m<sup>2</sup> of floor space with open plan kitchen/living space, bedroom and bathroom.

##### *First Floor*

Unit 4 is 148m<sup>2</sup> comprising open plan kitchen/living/dining area, cloakroom, bathroom and 3 bedrooms (2 with ensuite).

Unit 5 is 77m<sup>2</sup> comprising kitchen, living/dining room and bedroom with ensuite.

Unit 6 is 111m<sup>2</sup> comprising open plan kitchen/living/dining area, cloakroom, bedroom and bathroom.

##### *Second Floor*

Unit 7 comprises 183m<sup>2</sup> of floor space comprising open plan kitchen/living/dining area, cloakroom, bathroom and 4 bedrooms (2 with ensuite).

Unit 8 comprises 133m<sup>2</sup> floorspace comprising of kitchen, living/dining area, 3 bedrooms, bathroom and cloakroom.

## Cycle and Storage

A four bay brick and tile hipped outbuilding is also proposed to provide storage for communal bins, general storage and a covered shelter for 14 bicycles. This would measure approximately 13.7m by 4.3m deep with an eaves height of 2.8m with the ridge 4.7m.

### The Submission:

Site Location Plan, drawing no. 21-018-PL-200 Rev B  
Existing Site Plan, drawing no. 21-018-PL-101  
Existing Arrangement Basement Floor Plan, 21-018-PL-104  
Existing Ground Floor Plan, drawing no. 21-018-PL-105 Rev B  
Existing First Floor Plan, drawing no. 21-018-PL-106 Rev A  
Existing Second Floor Plan, drawing no. 21-018-PL-107 Rev A  
Existing Roof Plan, drawing no. 21-018-PL-108 Rev A  
Existing South East Elevation, drawing no. 21-018-PL-115  
Existing North East Elevation, drawing no. 21-018-PL-116  
Existing North West Elevation, drawing no. 21-018-PL-117  
Existing South West Elevation, drawing no. 21-018-PL-118  
Existing Arrangement Internal/Wing Elevations, drawing no. 21-018-PL-119  
Proposed Site Plan, drawing no. 21-018-PL-201A Rev C  
Proposed Bike and Bin Store, drawing no. 21-018-PL-203A  
General Arrangement Basement Floor Plan as Proposed, drawing no. 21-018 PL-204 Rev A  
Proposed Ground Floor Plan, drawing no. 21-018-PL-205 Rev D  
Proposed First Floor Plan, drawing no. 21-018-PL-206 Rev C  
Proposed Second Floor Plan, drawing no. 21-018-PL-207 Rev E  
Proposed Roof Plan, drawing no. 21-018-PL-208 Rev D  
Proposed South East Elevation, drawing no. 21-018-PL-215 Rev B  
Proposed North East Elevation, drawing no. 21-018-PL-216 Rev B  
Proposed North West Elevation, drawing no. 21-018-PL-217 Rev B  
Proposed South West Elevation, drawing no. 21-018-PL-218 Rev C  
Existing Location Plan, drawing no. 21-018-PL-100  
Proposed Inside Wing Elevations South West Elevation, drawing no. 21-018-PL-219 Rev C  
Proposed Staircase Details, drawing no. 21-018-PL-310 Rev C  
Proposed New Sash Window Details, drawing no. 21-018-PL-347 Rev A  
Proposed New Sash Window Details, drawing no. 21-018-PL-348 Rev A  
Proposed New Sash Window Details, drawing no. 21-018-PL-349 Rev A  
Proposed New Sash Window Details. drawing no. 21-018-PL-350 Rev B  
Proposed New Sash Window Detials, drawing no. 21-018-PL-351 Rev B  
Proposed New Dormer Window Details, drawing no. 21-018-PL-352 Rev A  
Amended Landscape Strategy, drawing no. 22.01730.001 Rev C  
Proposed Drainage Strategy, drawing no. 5968-DR-01 Rev P1

Heritage Impact Assessment, Berrys, February 2023

RIBA Stage 3+ fire safety strategy, March 2023

Acoustic Design Advice from ENS dated 8 December 2022

Preliminary Ecology Appraisal, Morph Ecological Consultants June 2022

Bat Activity and Reptile Surveys  
Design and Access Statement Rev D, Brick Architects, February 2023  
Flood Risk Assessment, KSA Consulting, May 2022

#### **4.0 Departure/Public Advertisement Procedure**

Occupiers of eighteen properties have been individually notified by letter. A site notice has also been displayed near to the site and an advert has been placed in the local press. Re-consultation has taken place in respect of amendments. Site Visits undertaken July 2022 and 31 March 2023.

#### **5.0 Planning Policy Framework**

##### **Newark and Sherwood Amended Core Strategy DPD (adopted March 2019)**

Spatial Policy 1 - Settlement Hierarchy  
Spatial Policy 2 - Spatial Distribution of Growth  
Spatial Policy 7 - Sustainable Transport  
Core Policy 3 – Housing Mix, Type and Density  
Core Policy 9 -Sustainable Design  
Core Policy 10 – Climate Change  
Core Policy 12 – Biodiversity and Green Infrastructure  
Core Policy 14 – Historic Environment  
ShAP2 – Role of Ollerton & Boughton

##### **Allocations & Development Management DPD**

DM1 – Development within Settlements Central to Delivering the Spatial Strategy  
DM5 – Design  
DM7 – Biodiversity and Green Infrastructure  
DM9 – Protecting and Enhancing the Historic Environment  
DM12 – Presumption in Favour of Sustainable Development

##### **Other Material Planning Considerations**

National Planning Policy Framework 2021  
Planning Practice Guidance (online resource)  
National Design Guide – Planning practice guidance for beautiful, enduring and successful places September 2019  
Residential Cycle and Car Parking Standards & Design Guide SPD June 2021

#### **6.0 Consultations**

**Ollerton Town Council** – (July 2022) Support

**Historic England** – (4 April 2023) In summary, welcome the amended plans which have largely addressed their concerns subject to details design (which is deferred to the in-house conservation officer). However they continue to raise concerns regarding the setting of the

hall from the bin and cycle store which they consider is larger than necessary and awkwardly sited in relation to the entrance and boundary wall and principal elevation resulting in a harm to the overall significance of the hall. Recommend that the LPA will need to be satisfied that this element has clear and convincing justification.

(9 March 2023) in response to previous set of plans, confirmed they had concerns on heritage grounds and advised that the LPA should seek advice from our heritage advisor in this regard. They recommend seeking amendments in order to comply with national heritage policy. (Amendments have since been sought and forthcoming)

**NSDC Conservation** – Initially raised concerns and requested further information, analysis and amendments. In response to amendments made in March 2023, no objections have been raised. Details comments can be reviewed on the planning file.

### **NCC Highways Authority –**

08.02.2023 – Comments made that if there are plans to resurface the access in front of the gates this would need to be bound to prevent loose material from ending up on the highway. Raise queries over refuse collection and whether collection vehicles would need to enter the site and can turn in a forward gear and if there are plans to install electric vehicle charging points. Make observations regarding allocating spaces.

21.07.2022 – Queries raised including is the access to be gated? Are the spaces to be allocated, will there be electric charging points, what are arrangements for refuse collections? What is the width of the access and is it wide enough for two cars to pass.

**Representations from two interested parties/residents** have been received which are summarised as follows:

- Bin & cycle store should not be higher than listed wall to preserve the view of the hall;
- No details on waste collection;
- Concern that 14 car parking spaces won't be enough and that 18-22 will be required;
- No electric vehicle charging points;
- Garage block is unnecessary;
- No landscaping details;
- No ecological surveys provided;
- Concerns with earlier versions of plans;
- Insufficient details on basement plans.

## **7.0 Comments of the Business Manager – Planning Development**

The National Planning Policy Framework (NPPF) promotes the principle of a presumption in favour of sustainable development and recognises the duty under the Planning Acts for planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004. The NPPF refers to the presumption in favour of sustainable development being at the heart of development and sees sustainable development as a golden thread running through both plan making and decision taking. This

is confirmed at the development plan level under Policy DM12 of the Allocations and Development Management DPD.

### Background

Ollerton Hall has been empty and in a state of disrepair for many years. Planning permission was granted in 1990 to convert the building to a health care facility which included a single storey extension. This was implemented albeit the extension was built in the wrong place. A previous scheme for a more intensive conversion to 25 residential units by the previous owner was refused and dismissed on appeal 10 years ago.

Ollerton Hall has recently come back into the ownership of the District Council following years of uncertainty and a lack of progress on site by the previous owner. The unauthorised extensions have now been demolished. The Council has a new land deal with new developers (the applicants); the building is being offered on a lease until such time that the development is satisfactorily complete at which point the sale can progress to the developers. However for the avoidance of doubt, this scheme should be determined on its own merits in accordance with the development plan and any other material considerations.

### Principle of Development

Ollerton is defined as a Service Centre in the District Council's settlement hierarchy and Spatial Policy 2 sets out that 30% of overall service centre growth is expected to be accommodated here. Ollerton has a good range of services, facilities and access to public transport. Located within the settlement, the conversion of the hall represents a windfall development which is acceptable in principle subject to the site specific impacts being considered acceptable.

### Housing Type and Density

Core Policy 3 sets out that the District Council will seek to secure new housing to adequately address the housing needs of the District, namely family housing of 3 bedrooms or more, small houses of 2 bedrooms or less and housing for the elderly and disabled population.

In this case, the proposal relates to the conversion of a Grade II\* listed building which somewhat constrains the density and type of units that can be proposed.

The District wide Housing Needs Survey from 2020 suggests the overall housing need in the Sherwood Sub Area (which Ollerton is part of) has a limited housing need for apartments; with a need of only 1.2% for 2 or more bedroom flats and no recorded need for 1 bedroom flats.

This scheme offers a range of apartment types and sizes comprising one bedroom units x 4 (two of which are ground floor), three bedroom units x 2 and four bedroom units x 2. These units will be unique and could appeal to a wide range of people including older persons and therefore I am satisfied that this scheme is appropriate in terms of housing mix given the constraints of the site.

## Impact on Heritage and Visual Amenities

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act') require the Local Planning Authority (LPA) to pay special regard to the desirability of preserving listed buildings, their setting and any architectural features that they possess. In this context, the objective of preservation is to cause no harm, and is a matter of paramount concern in the planning process. The courts have said that this statutory requirement operate as 'the first consideration for a decision maker'. Planning decisions require balanced judgement, but in that exercise, significant weight must be given to the objective of heritage asset conservation. This is also reflected in CP14 and DM9 of the Development Plan. Policies DM5 and CP9 detail a more general expectation for a high standard of design.

This scheme involves internal alterations to a high grade listed building which are discussed in detail in the associated listed building application. The considerations in respect of this full application are confined to the alterations to the external appearance of the building and development in the grounds. The scheme as advanced is positive and does not rely on new build elements within the grounds. Following extensive negotiation, the proposal is now significantly revised and raises no objection from Conservation colleagues.

### *External appearance of the hall*

The proposal involves replacement windows and glazing patterns, details of which have now been agreed following negotiation. A number of new windows within currently blocked openings are also proposed. In some cases the infill is clearly modern and the proposal would enhance the significance of the listed building, in others it is a later, albeit maybe a later C19, infill that would be removed, and then there are two recessed blocked openings that may be of greater age, but there is no conclusive evidence as to their age or significance. A balanced view has been taken in acknowledgement that there would be the potential loss of historic fabric and significance, but that it does help deliver a well-considered internal plan form and does provide an acceptable external appearance.

The external elevations have been carefully considered and where alterations are being made these will be harmonious with the formal qualities of these high quality facades and alteration of historic fabric is minimal. There will be some improvements to elements of the façade.

The key architectural features of the building will be conserved, repaired and reinstated in a sympathetic manner which will preserve and enhance the architectural and aesthetic interest of the Hall.

### *Development within the Grounds*

The proposal initially proposed two detached outbuildings; a four bay garage and separate store building. Following concerns raised regarding the impacts and need, the garage building has now been omitted from the scheme.

The proposed outbuilding that remains would be located adjacent to the eastern boundary wall close to the site entrance. This would offer covered cycle storage for residents, communal bin store area, as well as general storage. I consider that it is reasonable for a hall



of this size to require storage for equipment that will be required to maintain the grounds. The covered cycle storage is required in policy terms and an area to keep bins out of site would also appear sensible. Planning for this now should prevent the need for ad-hoc structures moving forward. This building would also allow for a compensatory bat loft to be created within it rather than it being located in the hall itself which would be more harmful in heritage terms. It is noted that heritage colleagues had queried the scale of the building and revisions have decreased its height albeit Historic England remain concerns about its impact on the setting of the hall. Materials have been changed to show this outbuilding would be timber clad. However a simple brick and tile structure would be more suitable than the weatherboarding which does not reflect local vernacular. This is a matter that can be dealt with by condition. Taking all aspects into account, I consider that the outbuilding (subject to conditions regarding materials and detailing) is justified and its location is discrete having a minimal, albeit adverse, impact on the setting of the hall.

The lack of entrance gates are noted. The applicants are currently investigating the potential to reinstate the historic gates currently not within their ownership, albeit it would appear that the entrance has moved positions and shape during the twentieth century and it is not known if the original gates would fit the entranceway. Details of gates and whether there are any to be provided could be dealt with by condition.

The overall landscaping strategy is considered to propose a suitable scheme for this Country House context and will bring about improvements to the setting of the listed building.

Overall I consider that the scheme will bring about much needed repairs to the hall which have been detailed and are suitable to the special fabric and its setting. Whilst it is accepted that the outbuilding would have a moderately harmful impact on the hall (less than substantial harm in NPPF terms), I consider that its amended form is justified and when considered holistically, the scheme, with appropriate conditions, will overall achieve the minimum requirement of preservation and will bring about some enhancements from having this appropriate new use achieving the policy objectives set out.

#### Impact upon Residential Amenity

The impact on proposed and existing residents is a key consideration in assessing development with Policies CP9 and DM5 being relevant.

The proposed use of the hall for residential development of this intensity is considered to be acceptable and achieves an appropriate balance of making an efficient reuse of the hall whilst ensuring that the site is not over-developed. All units are generously proportioned and meet the minimum nationally described space standards for internal floor space.

Residential dwellings lie to the north and south of the proposal. The dwellings to the south have their rear gardens side on with the site and this relationship would not change as the land between them would be used as garden/amenity space.

There are three modern dwellings to the north of the site. The vehicular access and parking area to the north of the site would be located relatively close to existing dwellings. The access point is existing and from a heritage perspective, the proposed parking cannot be sited

anywhere else. Whatever the use of the hall, car parking would inevitably be required and this is the only place for it to be located.

The boundary between the dwellings to the north comprises a listed wall and the proposed landscaping plan now shows space for a hedgerow to also be planted alongside it which would assist with reducing impacts arising from general disturbance from the comings and goings of cars, headlights and car doors slamming. It is noted that gravel is proposed to be used in and around the parking areas. I do not foresee unacceptable noise transfer from the gravel given that vehicles passing over it would be travelling at low speed.

As part of the scheme, the grounds of the hall would be landscaped into formal gardens, wildlife areas and amenity space for residents to enjoy. Whilst residents would not have access to their own private amenity space, the communal and extensive nature of the grounds is considered commensurate for the quantum of units. Given the location of the proposed new outbuilding adjacent to the eastern boundary, no impact on residential amenity has been identified.

I am therefore satisfied that the proposal accords with the identified policies in terms of living conditions.

#### Impact upon Highway Safety

Spatial Policy 7 seeks to minimise the need for travel, provide safe, convenient and attractive accesses for all including the elderly and others with restricted mobility, provide links to the existing network of footways, be appropriate for the network in terms of volume and nature of traffic and provide appropriate and effective parking provision amongst other things. Policy DM5 mirrors this. The Council's SPD on Residential Cycle and Parking Standards sets out guidance on design and quantum.

Vehicular access would be gained from Main Street via the existing entrance which is 4.13m wide. This is not wide enough to allow two cars to pass one another. However the wall and pillars are listed and existing. The pinch point of where gates would be attached (details to be subject to condition) to the pillars is set back 5.5m from the back edge of the footpath so would allow a car to pull in off the highway whilst the gates (if used) open and users would be able to clearly see one another before committing to a manoeuvre such that I do not consider this to be a significant issue. Widening the access would have an adverse impact on the listed wall in any event. NCC Highways Authority have not objected to the scheme and taking all matters into account, I consider that the access point, whilst not optimum for modern standards, would be unlikely to present any highway safety concerns and when balanced with the wall's listed status is acceptable.

The applicant has confirmed that waste vehicles would not need to enter the site (and therefore not need to turn within the site in a forward gear. The site entrance can be bound in a hard surface to prevent loose chippings from entering the highway (a matter to be controlled by condition) and 3 electrical charging points are being proposed.

The quantum of car parking expected for residential developments within Service Centres is 1 space per 1 bed dwelling, 2 spaces for 2 & 3 bed dwellings and 3 spaces for 4 bed units.

Based on the housing mix, the total number of spaces required would be 14. The scheme has been amended to provide 18 spaces which have now been broken up with soft landscaping (on the 4:1 rule) as recommended in the Council's adopted parking SPD. The proposal therefore accords with the SPD in terms of both quantum and design and there would be 4 additional spaces that would be available as visitor spaces. How the spaces are allocated would be a management issue.

Based on housing mix, the quantum of covered cycle storage required by the SPD is 14 spaces, which is shown within the proposed outbuilding.

Taking into account all of the above the proposal is considered to be satisfactory from a highway and parking perspective and in line with the policy expectations.

### Impact upon Ecology and Trees

CP12 (Biodiversity and Green Infrastructure) seeks to conserve and enhance biodiversity whilst Policy DM7 specifies that: "On sites of regional or local importance, including previously developed land of biodiversity value, sites supporting priority habitats or contributing to ecological networks, or sites supporting priority species, planning permission will only be granted where it can be demonstrated that the need for the development outweighs the need to safeguard the nature conservation value of the site. All development proposals affecting the above sites should be supported by an up-to date ecological assessment, involving a habitat survey and a survey for protected species and priority species listed in the UKBAP." The NPPF also seeks to minimise impacts on biodiversity and provide net gains where possible.

A preliminary and an extended ecological appraisal, along with further bat and reptile surveys accompany the application which has considered the hall itself and the grounds.

### *Bats*

The ecological appraisal undertaken, identified 3 trees within the grounds to have moderate bat roost potential. However as these trees will be retained, no further assessment is required. Within the building itself however, bat droppings were noted and further surveys have identified there is a summer roost (brown long-eared and common pipistrelle) within the loft space. As such a European Protected Species licence from Natural England will be required before works can commence.

Local Planning Authorities are required to be satisfied that a license is likely to be granted when determining a planning application and would need to have in mind the three tests set out in Regulation 53 of The Conservation of Habitats and Species Regulations 2017 if required, namely:

- a. The consented operation must be for "preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment"; and
- b. There must be "no satisfactory alternative"; and
- c. The action authorised "will not be detrimental to the maintenance of the

population of the species concerned at a favourable conservation status in their natural range.

In terms of the first and second of these tests, the building in question is of important heritage value in need of a viable new use to ensure investment and its longevity in the public interest. There is no reasonable alternative other than conversion. In relation to the final test, the applicant has outlined a mitigation and compensation strategy and these measures are acceptable, in line with the third test of the Regulations.

It is noted that the survey indicate that if works are to be carried out in the basement, further hibernation surveys will be required over winter. At this stage it is not known (nor it is possible to know) if any works will need to be undertaken in the basement as this will depend on the last phase of fire protection survey which can only reasonably happen further into the process. Given the exceptional circumstances I consider that it reasonable to condition this element.

Any external lighting proposed within the grounds would need to be bat sensitive and details would be conditioned.

### *Reptiles*

Surveys identified the presence of one adult common lizard within the grounds. Due to the overgrown nature of the grounds, access was limited but is likely that only a small population exists. The loss of habitat is unlikely to have a significant impact on the common lizard population and habitat would be retained on site which could support this species along with enhancements in these areas. Mitigation/avoidance measures would be required to ensure no harm is caused during works. These can be dealt with by condition.

### *Breeding Birds*

Old bird nests were found within the hall and there are numerous opportunities for birds nesting within the wider site. A condition would need to be imposed to avoid site clearance during nesting season unless first inspected by a suitably ecologist. It is proposed that 6 bird artificial nests are installed on trees within the site. Given the habitat, specially protected birds (skylark/night jar) are unlikely to be present and an appropriate assessment is not considered necessary under the Habitat Regulations.

### *Other Species*

The grounds of the hall are currently overgrown and comprise, brambles, scrub, grassland and tall ruderal habitat. Given its location adjacent to the river, its semi-rural location and habitat there is potential for various species to present. The Ecological Appraisal identifies the site as a river commuting corridor for bats with the grounds a suitable habitat for reptiles, amphibians, badgers, nesting birds, otter, water vole, rabbits and foxes. Mitigation and avoidance measures will be required to safeguard these species including to prevent disturbance for foraging/commuting bats. As scrub would need to be removed, a condition to control vegetation clearance and compensation nest opportunities will be required.

### *Ecological Enhancements*

In line with the requirements of the Development Plan and the NPPF, consideration of how the scheme would contribute towards habitat creation. A scheme of enhancements would need to be controlled by condition to secure a range of features such as bird boxes and refuges ect. A landscape strategy has also been submitted to demonstrate ecological enhancements, as well as showing retained habitat. The strategy shows formal gardens immediately in front of the hall and paving to its rear but with a more natural 'wildlife garden'to the north-west of the hall adjacent to the river to accomodate native scrub and shrub planting, proposed grassland creation which would be interwoven with pathways. Further details would be required that build upon this but the principles are considered acceptable.

Overall I am satisfied that subject to conditions the scheme can be delivered without undue harm to ecology.

### Flood Risk

Core Policy 9 requires new development proposals to pro-actively manage surface water. Core Policy 10 of the Core Strategy and Policy DM5 of the Allocations and Development Management DPD along with the NPPF set out a sequential approach to flood risk.

The aim of the sequential test is to steer new development to areas with the lowest risk of flooding. A corridor to the north-western boundary of the site lies in flood zones 2 and 3. The area where the new external development would occur (i.e the outbuilding and parking) and the hall itself all lie within zone 1, which is at lowest flood risk. Th sequential test is not therefore engaged.

The application is accompanied by a flood risk assessment which sets out that in flood risk terms the development is 'more vulnerable'. Finished floor levels are 2.54m above the modelled floor levels and the development is considered appropriate posing no risk from fluvial flooding.

In terms of surface water drainage, the applicant has indicated that surface water run off would be improved over the existing situation as a new drainage soakaway system will be installed to restrict discharge and the proposed impermeable area for the gravel driveway and parking. This would be a matter controlled by other legislation and the matter need not be considered further.

### Other Matters

As the scheme falls under the relevant thresholds, no developer contributions would be required for this development.

## **8.0 Implications**

In writing this report and in putting forward recommendations officers have considered the following implicatio; Data Protection, Equality and Diversity, Financial, Human Rights, Legal,

Safeguarding, Sustainability, and Crime and Disorder and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.

## **9.0 Planning Balance and Conclusion**

The principle of converting the hall to new residential use is considered acceptable in terms of its locational requirements and in terms of finding an appropriate new use for this high grade listed building. The impacts upon existing residents amenity can be made acceptable with conditions and no highway safety harm has been identified. The proposal would involve the disturbance of a bat roost within the hall, albeit compensation, mitigation and avoidance measures can be employed to minimise the impact alongside the EPS licence that will be necessary. Following extensive negotiations, overall it is considered that the development to the hall would be harmonious and bring about some improvements to the facade. Whilst the presence of a new outbuilding would adversely affect the setting of the hall, this would be minimal (at the lower end of less than substantial harm) and its impacts have been diminished through reducing its size and scale. Moreover the outbuilding is needed to enable the hall to be converted and overall the heritage impacts are considered acceptable having attracted no objections from heritage professionals.

## **10.0 Conditions**

Conditions and informative to follow.

### **BACKGROUND PAPERS**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Application case file.

Committee Plan - 22/00852/FUL

