REF. NO. L/15/77223

LISTED BUILDING CONSENT REPORT

DESCRIPTION/ ADDRESS	-	Listed Building Consent: Provision of external play area Market Hall 11 High Street Botley Southampton SO30 2EA

SITE VISIT DATE	07/01/16
ARE PLANS ACCURATE?	It is considered that sufficient information has been provided to allow for the assessment of the development proposed.
HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED?	Yes

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	The application proposes the erection of 1.2m high fencing to create an external play area to the rear of the hall. The proposed area would be located within the north east corner of the car park and removable AstroTurf would be laid on the ground.
TOPOGRAPHY	Flat and level
TREES	None
BOUNDARY TREATMENT	Red brick wall all around car park to rear of hall
SITE CHARACTERISTICS	The Market Hall is a grade II listed building dated 1848, the front is Portland stone, and the rear is red brick with extensions added more recently. To the rear a high brick wall encloses a tarmac car park area. The building is located to the south of Botley High Street.
CHARACTER OF LOCALITY	The surrounding properties are mixed in terms of form and design and are predominantly commercial premises within the Botley Conservation Area.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
L/10/67392	Listed Building Consent: Insertion of door in rear elevation	Granted consent 24/08/2010
C/09/66020	Construction of 2.75m high wall and insertion of door in rear elevation	Granted 23/12/2009
L/09/66021	Listed Building Consent: Construction of 2.75m high wall and insertion of door in rear elevation	Granted consent 23/12/2009
C/04/52539	Construction of new ramped and stepped access with guard railings, replacement flat roofed canopy to front elevation and addition of gabled roof on side elevation	Granted 23/12/2004
L/04/52540	Listed Building Consent: Construction of	Granted consent

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RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
	new ramped and stepped access with metal guard railings, replacement front and side entrance doors, replacement flat roofed canopy and lowering of door stone cill on front elevation, new gable slate roof over side entrance door and re-surfacing of side footpath	23/12/2004
C/19941/005/00	Installation of six windows in walls of existing rear extension and replacement of three existing windows	Granted 03/04/1996
L/19941/006/00	Installation of six windows in walls of existing rear extension and replacement of three existing windows	Granted consent 03/04/1996
L/19941/004/00	Two storey rear extension	Granted 08/02/1990
Z/19941/003/00	Two storey rear extension	Granted 25/01/1990
Z/19941/001/00	Alterations and refurbishment	Granted 03/06/1988
L/19941/002/00	Listed building consent: alterations and refurbishment	Granted 03/06/1988
Z/19941/000/00	Erection of a garage	Granted 04/12/1979

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
13/15 High Street	No objection

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Botley Parish Council	Members expressed concerns about the safety of the proposed play area and recommended the installation of defensive bollards close to the fencing
Head of planning policy and design – conservation officer	Whilst no formal comments were received, the proposals were discussed verbally with the Council's conservation officer who confirmed that given that the rear portion of the building is a more recent addition and the car park area is laid to hardstanding, should a limited degree of excavation be necessitated as part of the installation of the fencing it is not considered that this would undermine the character or setting of the listed building. There are no other objections raised to the proposal.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE

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POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Within Designated Conservation Area Affects Setting of Listed Building Listed Building Grade II

DEVELOPMENT PLAN SAVED POLICIES, EMERGING LOCAL PLAN POLICIES AND SPD'S

Eastleigh Borough Local Plan Review (2001-2011), saved policies 174.LB

Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014, (the Submitted Local Plan) comprising: Revised Pre-submission Eastleigh Borough Local Plan 2011 - 2029, published February 2014; and Schedule of Proposed Minor Changes, submitted to the Secretary of State in July 2014 policy DM10

NATIONAL PLANNING POLICY GUIDANCE

National Planning Policy Framework

Of particular relevance to this application is the following Core Planning Principle contained within paragraph 17 of the NPPF:

Planning should "conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations."

In addition, section 12 *Conserving and enhancing the historic environment* (paragraphs 126-141) is also applicable to this proposal.

POLICY COMMENTARY

The above policies and guidance combine to form the criteria against which this application will be assessed with particular regard to the impact of the proposals on the setting, appearance and fabric of the Listed Building.

COMMENT ON CONSULTATION RESPONSES

See report

COMMENT ON REPRESENTATIONS RECEIVED

See report

PLANNING OBLIGATION/CONSIDERATIONS

Not applicable

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 16(2) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states:

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ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

"In considering whether to grant Listed Building Consent for any works, the Local Planning Authority … shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

Development Plan Policies

Eastleigh Borough Local Plan Review 2001-2011

Saved Policy 174.LB states that the alteration or extension of a listed building or any development within the curtilage of a Listed Building will not be permitted if it would result in a detrimental impact on the building or its setting.

Assessment of proposal

The application proposes the erection of wooden picket fencing to the rear of the building to create a children's play area in association with the use of the hall. The extension to the rear of the building is a later addition and therefore no objection is raised to the proposed fencing. Excavations of 6-8 inches will be required for the fence posts, however, due to the current hard surfacing in the car park no objection is raised to the excavations for the fence posts. The proposed development is therefore not considered to have a detrimental impact on the special character of setting of the Listed Building.

As such, it is considered that the proposal complies with the requirements of saved Policy 174.LB of the adopted Local Plan, Policy DM10 of the Submitted Local Plan 2011-2029 and the relevant sections of the National Planning Policy Framework.

OTHER MATERIAL CONSIDERATIONS

Also of relevance is the Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014. While not yet adopted it does carry weight by virtue of being intended as the current local plan's replacement. With regards to this application, the new policies essentially echo those of the current plan and are not considered to affect the recommendation put forward.

CONCLUSIONS

The application is recommended for approval.