

Report of the Chief Executive

APPLICATION NUMBER:	23/00606/REG3
LOCATION:	68-82 Princes Street, Eastwood, Nottinghamshire
PROPOSAL:	Install external wall insulation to the front, side and rear of 68-82 Princes Street

The application is brought to the Committee as it is an application submitted by the Council.

1. Purpose of the Report

- 1.1 The application seeks planning permission for installation of external wall insulation and brick effect render to 15 terraced properties

2. Recommendation

The Committee is asked to resolve that planning permission be refused for the reasons outlined in the appendix.

3. Detail

- 3.1 The application site consists of a row of 15 x two storey brick built Victorian terraced properties located within a built up residential area of Eastwood. This block of properties is one of the two remaining blocks from the original housing dating back to the late 19th century. The front of the properties is pedestrianised with vehicular access to the roads to the side and rear of the properties.

- 3.2 The site is located within the Eastwood Conservation Area.

4. Financial Implications

- 4.1 The comments from the Head of Finance Services were as follows:

There are no additional financial implications for the Council with the costs/income being within the normal course of business and contained within existing budgets. Any separate financial issues associated with S106s (or similar legal documents) are covered elsewhere in the report.

5. Legal Implications

- 5.1 The comments from the Head of Legal Services were as follows:

The Legal implications are set out in the report where relevant, a Legal advisor will also be present at the meeting should legal considerations arise.

6 Data Protection Compliance Implications

- 6.1 Due consideration has been given to keeping the planning process as transparent as possible, whilst ensuring that data protection legislation is complied with.

7. Climate Change Implications

Climate change implications are considered within the report.

8. Background Papers:

None.

APPENDIX

1. Details of the application

- 1.1 The application seeks full planning permission for the installation of external wall insulation to be installed on all external walls of the properties and finished in brick effect render.

2. Site and surroundings

- 2.1 The application site consists of a row of 15 x two storey brick built Victorian terraced properties located within a built up residential area of Eastwood. This block of properties is one of the two remaining blocks from the original housing dating back to the late 19th century. The front of the properties is pedestrianised with vehicular access to the roads to the side and rear of the properties.

3. Relevant Planning History

- 3.1 No Relevant Planning History Found

4. Relevant Policies and Guidance4.1 **Broxtowe Aligned Core Strategy 2014:**

The Council adopted the Core Strategy (CS) on 17 September 2014.

- Policy 1 - Climate Change
- Policy 8 - Housing Size, Mix and Choice
- Policy 10 - Design and Enhancing Local Identity
- Policy 11 - The Historic Environment

4.2 **Part 2 Local Plan 2019**

The Council adopted the Part 2 Local Plan on 16 October 2019.

- Policy 15 - Housing Size, Mix and Choice
- Policy 17 - Place-Making, Design and Amenity
- Policy 23 - Proposals Affecting Designated and Non-Designated Heritage Assets

4.3 **National Planning Policy Framework (NPPF) 2023**

- Part 2 - Achieving Sustainable Development.
- Part 4 - Decision-making.
- Part 16 - Conserving and enhancing the Historic Environment
- Part 14 - Meeting the challenge of climate change, flooding and coastal change

5. Consultations

5.1 **Councillors & Parish/Town Councils:**

- Councillor D Bagshaw – No Comments Received
- Councillor K Woodhead - No Comments Received
- Eastwood Town Council - No Comments Received

5.2 **Consultees:**

Conservation Officer – Recommend that the application is refused, as there would be less than substantial harm to the character and appearance of the conservation area, that is not sufficiently counterbalanced by public benefits, in accordance with Para 202 of the NPPF and Section 72 of the Listed Building and Conservation Areas Act (1990). There are other opportunities to thermally upgrade the properties, such as internally, at the side and rears and also in the roof.

The Conservation Officer has searched the Planning Appeal register on the government website to try and identify relevant planning applications that have been decided by the planning inspector. They can only identify appeals such as

- **APP/Y1945/W/21/3279893** - here the Planning Inspector overturned the LPA's refusal for external insulation - however here the host dwelling was originally covered in a roughcast render. As such the change is less impactful than in Eastwood.

- **APP/X1118/D/16/3159340** - here once more the Planning Inspector overturned the LPA's refusal - this time it was for external insulation and render on a 19th century terraced property. However, once more there is not a direct comparison to the Eastwood case because in this appeal case the property had already been rendered with a modern cement render, presumably before the conservation area was designated.

- **APP/E2001/D/21/3274144** - in contrast to the above two appeals that were overturned, here the Inspector dismissed the application for external render and insulation on a property that was already rendered. The Inspector stated:

'Insulated render to the front elevation would add to the depth of the property and this would be particularly noticeable at the eaves line, in the depth of the window and door reveals and along the line of the joint boundary with the attached cottage. The additional depth to the front elevation would appear incongruous with the character of the adjacent cottages and noticeably change the similarity between them. Consequently, the contribution of the row of cottages to the street scene would be diminished. The changes to the front elevation of the cottage would be clearly visible from The Green and would be detrimental to the character and appearance of the CCA'

When turning to the public benefits of thermal upgrading, the Inspector stated:

'The Framework supports development that mitigates climate change. Although not quantified, the insulation of the building would likely reduce energy consumption. Even so, in the absence of any quantifiable evidence I can only attach moderate weight to the benefit of reduced energy consumption. While I have not found harm due to the insulation of the side gable or the rear elevation of the building in themselves these visual changes to the cottage are neutral and do not weigh in favour of the proposal. Overall, the moderate public benefits would not outweigh the great weight to be attached to the conservation of heritage assets and the proposal would therefore conflict with the Framework.'

I echo the comments of this *Planning* Inspector in relation to the Eastwood application, specifically where they stated:

'Overall, the moderate public benefits would not outweigh the great weight to be attached to the conservation of heritage assets and the proposal would therefore conflict with the Framework.'

- Environmental Health – No Objection

5.3 Neighbours:

- Sixteen neighbours were consulted on the application with one response received from neighbouring properties with no comments supplied and no comments received from any third parties.

6. Assessment

6.1 Principle

The principle of external wall insulation and rendering within a residential area, is deemed acceptable subject to any assessment of the design and appearance and its impact on heritage assets.

6.2 Design

Policy 1 of the Aligned Core Strategy states that all development proposals will be expected to mitigate against and adapt to climate change, to comply with national and contribute to local targets on reducing carbon emissions and energy use unless it can be demonstrated that compliance with the policy is not viable or feasible.

Policy 8 of the Aligned Core Strategy states that residential development should maintain, provide and contribute to a mix of housing tenures, types and sizes in order to create sustainable, inclusive and mixed communities. All residential developments should contain adequate internal living space and a proportion of homes should be capable of being adapted to suit the lifetime of its occupants. Policy 10 states that massing, scale, proportion, materials,

architectural style and detailing will be considerations when assessing development.

According to the supporting documents, the proposed external wall insulation system is comprised by mechanically fixed insulation boards with a render finishes. The total thickness of the proposed insulation system would be 100mm with approximately 10mm of render attached.

The properties are traditional in appearance with painted lintels and painted stone projecting cills. At the eaves of the properties there are projecting dogs tooth detailing located underneath the gutter line. Concerns were raised with the applicants with regards to how these important characteristics of the buildings would be retained. Further information was submitted with the finish detailing for the cills, lintels, eaves and gutter lines that proposed to replicate the existing detailing like for like.

The installation of the insulation would add a further 100mm to the outside of the properties. This would create large recesses at both window and door reveals which would appear as an incongruous feature on the historic buildings. It was agreed following discussions with the applicants that to overcome this issue the existing windows and doors would be removed and pulled forward within the recess to match the existing aperture depth.

6.3 **Amenity**

Policy 10 of the Aligned Core Strategy states that development will be assessed in terms of the impact on the amenity of nearby residents or occupiers. Policy 17 of the Part 2 Local Plan 2019 states that any development should not cause an unacceptable loss of amenity for the occupiers of neighbouring properties.

Given the scope of the works involved it is considered that the proposal would have no negative impact on the neighbour amenity of the surrounding properties.

6.4 **Conservation**

The statutory duty of sections 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities to have special regard to the desirability of preserving or enhancing the character or appearance of that area.

Paragraph 194 of the NPPF (2023) states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected and paragraph 197 states in determining applications, local planning authorities should take into account a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

Paragraph 202 of the NPPF (2023) states that 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.

Policy 11 of the Aligned Core Strategy states that development will be supported where the historic environment and heritage assets and their settings are conserved and/or enhanced in line with their assets and significance. Policy 23 of the Part 2 Local Plan 2019 states that proposals will be supported where heritage assets and their settings are conserved or enhanced in line with their significance.

The basic Heritage and Design Statement states that the addition of the external wall insulation will have a limited detrimental effect on the appearance of the property as it will be very similar and will not cause loss of character to the existing dwelling given the minimal change to the appearance of the properties. It also states that the external insulation will positively enhance the appearance of the house and will be consistent with the character of the Conservation Area. It is considered the heritage statement inadequately explains the impact of the proposed wall insulation on the external appearance of the house, as the Conservation officer advised that the exterior of the property would be detrimentally altered.

This application relates to the proposal to externally insulate the late Victorian terraced row of properties within the Eastwood Conservation Area, that are situated between Albert, Victoria and Wellington Street. The properties are visible on the 1880 OS 25" map and are recognised as 'bye-law' terraced housing that were built, most likely after the passing of the 1875 Public Health Act. The 1880 and 1900 map show a primitive Methodist chapel at the heart of these terraced properties. The original builder of these houses is uncertain, but it is likely they were built speculatively and some may have an association to the Methodist church. The houses are located in close proximity to the DH Lawrence Museum and they form a strong association with the DH Lawrence heritage of the town. Thus they are considered an integral component of Eastwood's literary heritage and also hold a strong association with the former mining industry.

In comparing the proposed render sample to the existing houses it was evident that the impact on the street scene of the conservation area would be harmful, as it would transform the character of the Victorian terraced rows. The reveals of the windows would be deepened with the subsequent distortion of original proportions, the rustic humble brickwork of the terraced properties would be wholly compromised, the external imitation brick render would not finish at the base of the building (as it needs to avoid water penetration) and the faux mortar joints and brick bond cannot be imitated so as to be indistinguishable from the original facade.

An application such as this will always be a delicate balancing act because the public benefits of the proposal are so plainly evident - the tenure is social housing, there is a climate emergency with escalating fuel bills and there is a

pressing requirement to thermally upgrade these properties. The public benefits must be considered as a counter balance to the harm caused to the street scene of the conservation area, in accordance with Paragraph 202 of the NPPF.

The level of harm caused by the proposed insulation render is considered to be less than substantial, with the level set at a moderate to higher level of less than substantial harm. It is not entirely the role of the conservation officer to identify the public benefits of the proposal - and it is noted the applicant (Broxtowe Estates) has not taken the time to carry out a detailed Heritage Impact Assessment or demonstrate the public benefits in great detail - however it is my estimation that the public benefits do not outweigh the harm in this instance. The terraced properties contribute so much significance to the DH Lawrence literary history of Eastwood, which is a town that has had its heritage so heavily compromised in other areas. If the character of these terraced rows were compromised to this extent, there would be an impact that would transcend its immediate location; the harm caused to its kinetic setting would permeate outwardly, towards the DH Lawrence Museum and onto Nottingham Street.

6.5 Ecology

A bat survey was carried out due to the potential for bat habitation within the houses in question. The survey returned no bats present within the buildings but did pick up potential bat roost ion locations that were not able to be inspected without scaffolding. A condition, should planning permission be granted, has been requested by Notts Wildlife Trust that requires properties 70, 72 and 78-80 Princes Street to be re-inspected once scaffolding has been erected.

During this survey a separate assessment was carried out regarding nesting birds. It was decided that if works are carried out between March and September then a check for nesting birds should be carried out prior to any works commencing. It was also requested that a condition be added to any decision requiring the installation of two groups of three swift boxes be installed within the scheme. However, this would result in the boxes being located to the front of the properties which could detract from the appearances of the buildings. As such it was concluded that these would be installed within the second phase of any such works which would place the boxes on the rear of the properties and therefore not undermining the historical context of the buildings.

7. Conclusion

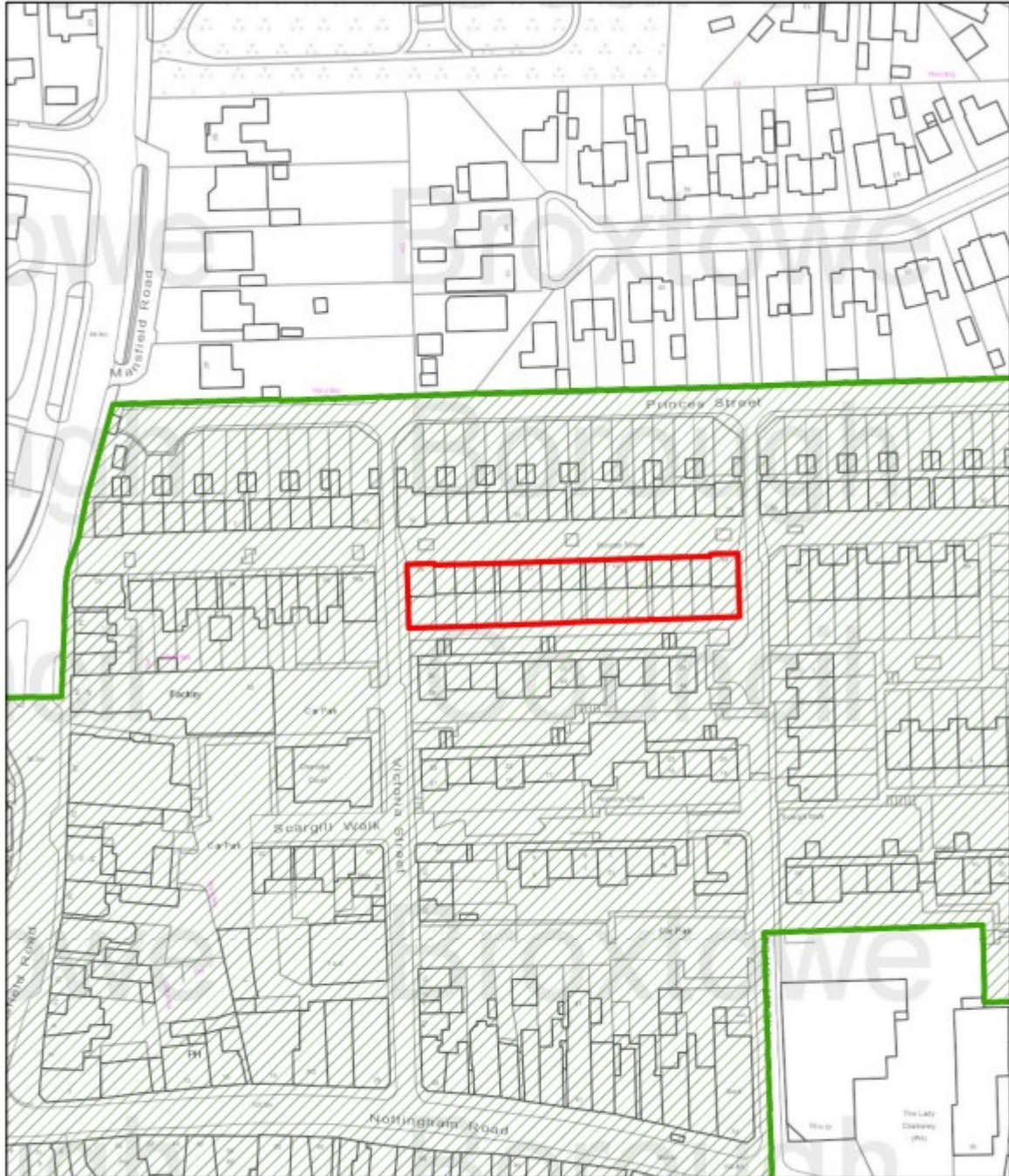
- 7.1 The proposal fails to demonstrate that the proposed works would not create a substantial harm to the character and appearance of the conservation area and of the existing buildings. All relevant matters have been taken into account when appraising this application. It is considered that the proposal

does not accord with the principles and policies contained within the Development Plan and is unacceptable in terms of applicable material considerations and planning permission should be refused.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be refused subject to the following conditions.	
1.	Reason The external insulation system constitutes an incongruous feature in terms of detail and material which would appear out of character with the character of the buildings and surrounding area. The proposal therefore would create substantial harm to the character and appearance of the conservation area and of the existing buildings, and there are no public benefits which would outweigh this harm. Accordingly, the development would be contrary to the aims of Policies 10 and 11 of the Broxtowe Aligned Core Strategy (2014), Policies 17 and 23 of the Broxtowe Part 2 Local Plan (2019) with Section 202 of the NPPF and Section 72 of the Listed Building and Conservation Areas Act (1990).
	NOTES TO APPLICANT
1.	The Council has acted positively and proactively in the determination of this application by working to seek amendments to the plans to make the development acceptable but amendments were not forthcoming which would render the proposal acceptable.

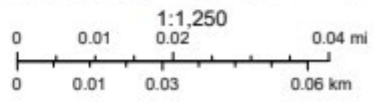
Map

23/00606/REG3



11/16/2023, 3:34:48 PM

-  Conservation Area
-  Site



Photos of site

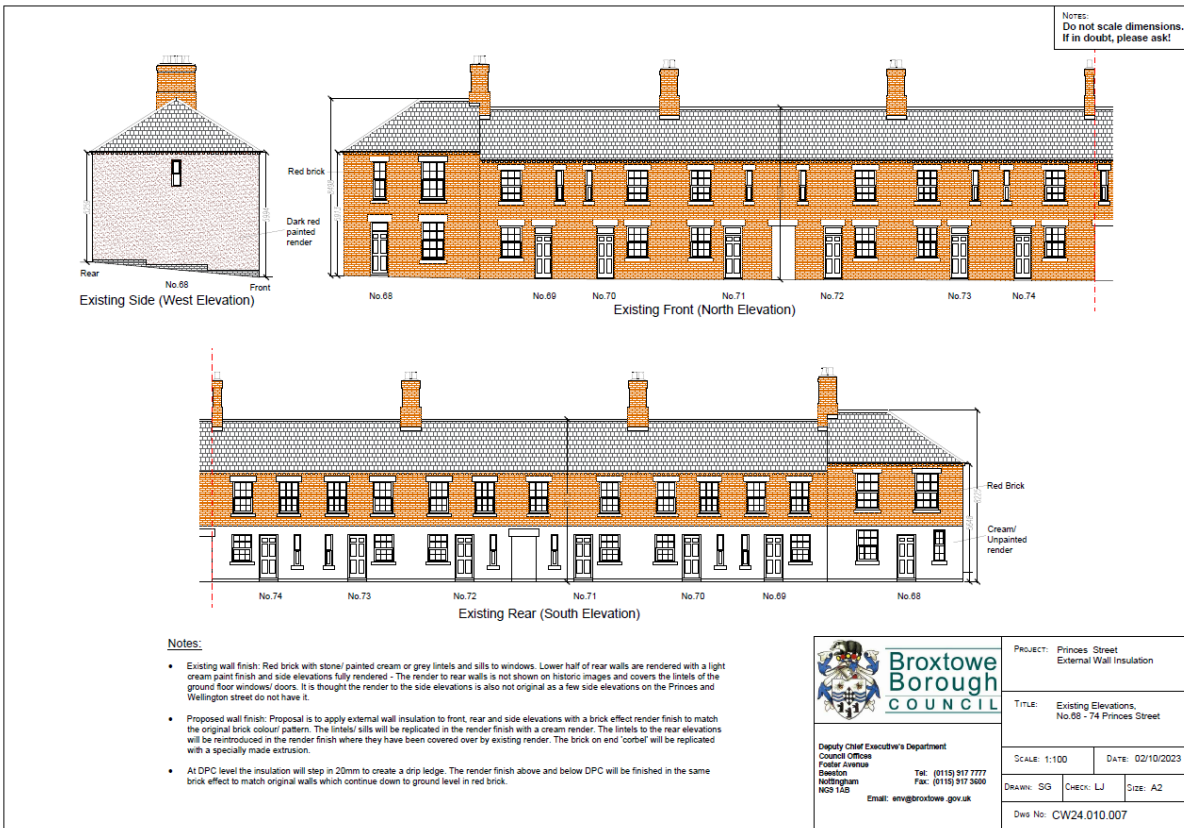
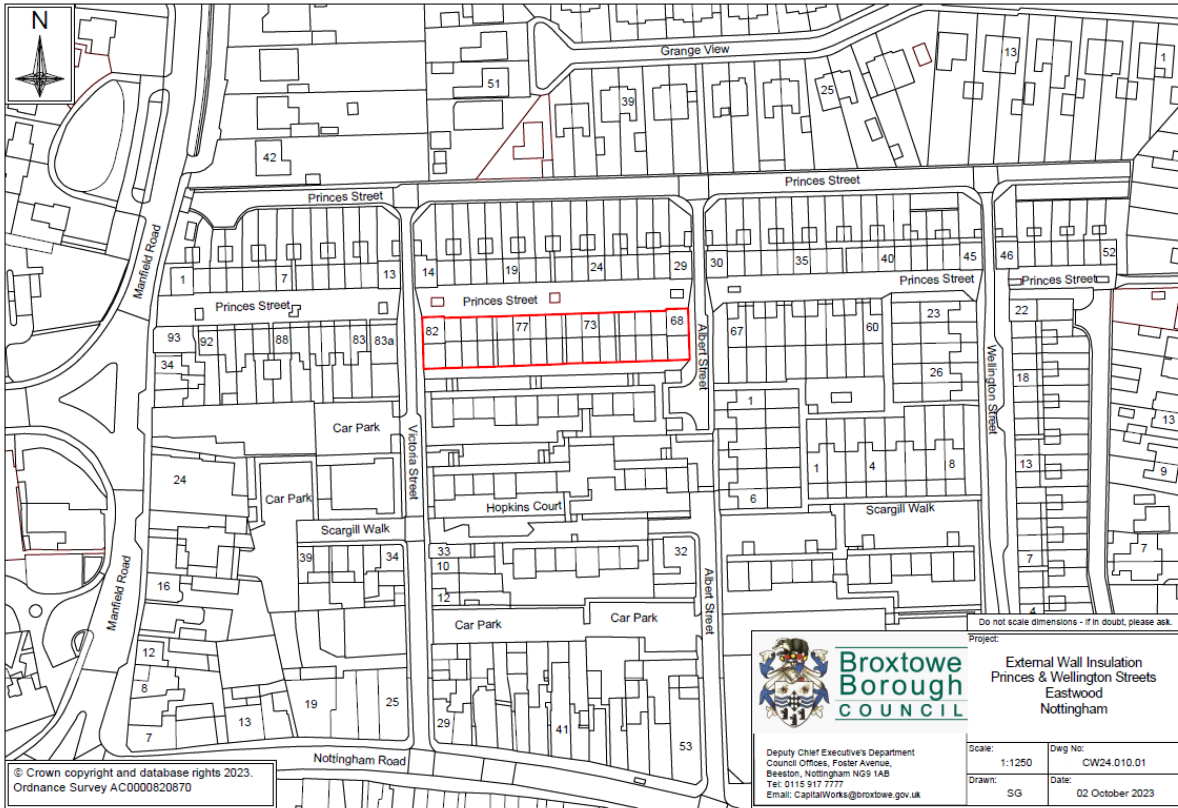


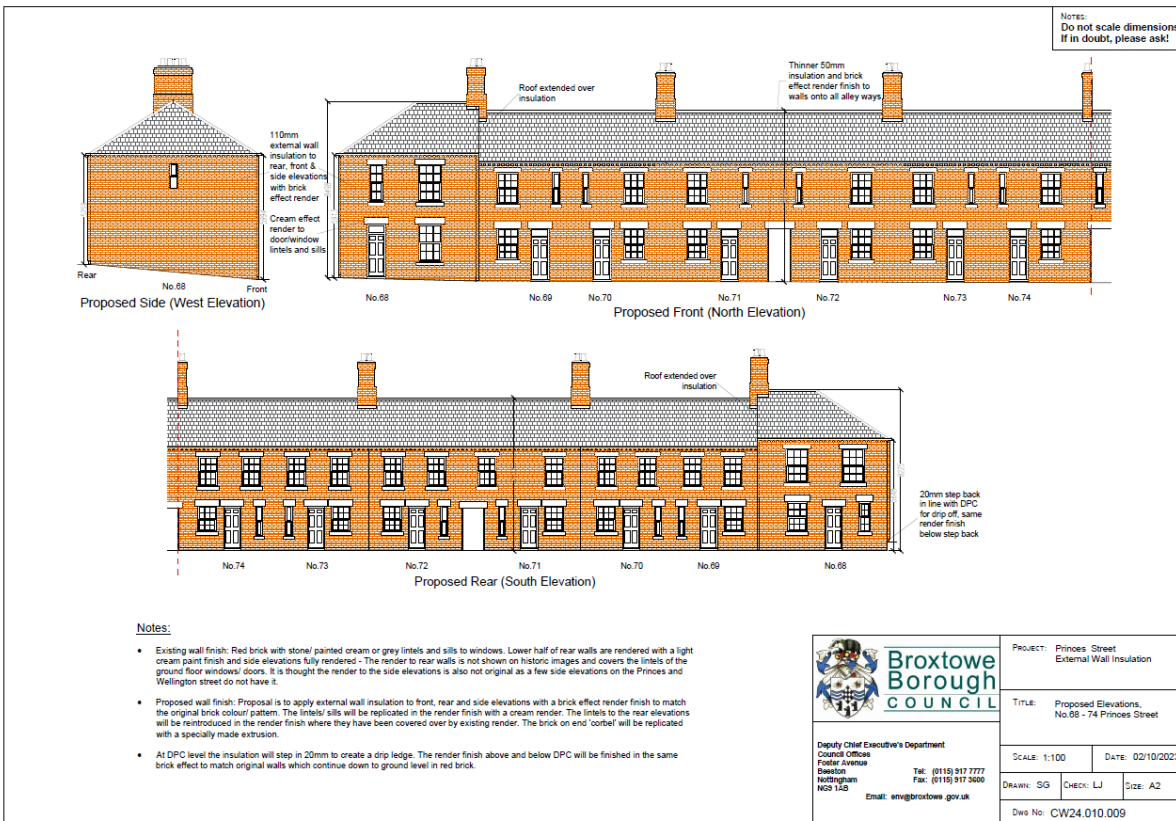
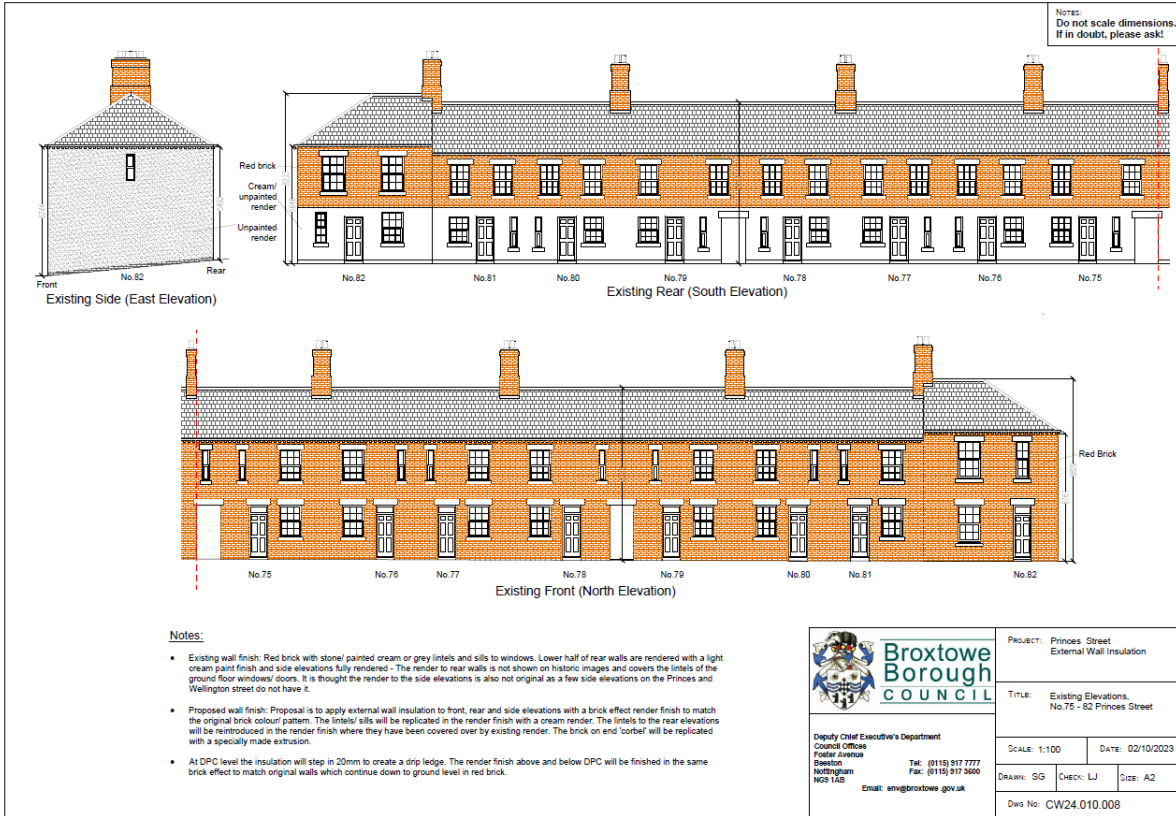


Photo of a site with the proposed works already carried out, which demonstrates increased depth of reveals.



Plans





Notes:
Do not scale dimensions.
If in doubt, please ask!

Proposed Side (East Elevation)

Proposed Rear (South Elevation)

Proposed Front (North Elevation)

Notes:

- Existing wall finish: Red brick with stone/ painted cream or grey lintels and sills to windows. Lower half of rear walls are rendered with a light cream paint finish and side elevations fully rendered. The render to rear walls is not shown on historic images and covers the lintels of the ground floor windows/ doors. It is thought the render to the side elevations is also not original as a few side elevations on the Princes and Wellington street do not have it.
- Proposed wall finish: Proposal is to apply external wall insulation to front, rear and side elevations with a brick effect render finish to match the original brick colour/ pattern. The lintels/ sills will be replicated in the render finish with a cream render. The lintels to the rear elevations will be reintroduced in the render finish where they have been covered over by existing render. The brick on end 'corbel' will be replicated with a specially made extrusion.
- At DPC level the insulation will step in 20mm to create a drip ledge. The render finish above and below DPC will be finished in the same brick effect to match original walls which continue down to ground level in red brick.

<p>Broxtowe Borough Council</p> <p>Deputy Chief Executive's Department Council Offices Foster Avenue Beecham Nottingham NG9 1LS Email: env@broxtowe.gov.uk</p>	PROJECT: Princes Street External Wall Insulation	
	TITLE: Proposed Elevations, No.75 - 82 Princes Street	
	SCALE: 1:100	DATE: 02/10/2023
	DRAWN: SG	CHECK: LJ
DWG No: CW24.010.010		