

DELEGATED FILE NOTE

CASE OFFICER: ...Alex Howard.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/01729/FPH	Raise existing chimney stack.	Blarney Hollow School Lane Rushden Buntingford Hertfordshire SG9 0SG

Submitted Plan Nos

Location Plan Existing Elevations Proposed Elevations

D1	Sustainable design
D3	Protecting living conditions
HE1	Designated heritage assets
SECN12	Achieving well-designed places
SECN16	Conserve + enhance historic environment

2.0 **Site History**

2.1 N/A.

3.0 **Representations**

3.1 **Neighbour Representations and Site Notice** – None received.

3.2 **Rushden and Wallington Parish Council** – None received.

3.3 **County Council Archaeology** – None received.

3.4 **Conservation Officer** – No objection subject to conditions.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 Blarney Hollow is grade II listed and is located within the Rushden Conservation Area next to the entrance to the churchyard of St Mary's Church (grade II*).

4.2 **Proposal**

- 4.2.1 Planning permission is sought to raise the existing chimney stack to a height 1.8m above the ridge line.
- 4.2.2 The existing stack will be taken down to the oversailing or corbelling courses after careful removal of the chimney pot. The stack will be raised in matching handmade red brick so that there is 1800mm above the ridge. This is to ensure compliance with current building regulations and insurance requirements. The chimney stack will be finished in Handmade English Red Brick.

4.3 **Key Issues**

- 4.3.1 The key issues in this case are the design, impact on heritage assets, and impact on the reasonable living conditions of neighbours.

Design

- 4.3.2 Policy D1 of the Local Plan states that planning permission will be granted provided that development responds positively to the site's local context in addition to other criteria. These considerations are echoed in Section 12 of the NPPF.
- 4.3.3 The proposal looks to remove an existing chimney stack and replace it with a stack that is 1.8m above the ridge line. The stack will be finished in Handmade English Red Brick to match the host dwelling. This is to comply with current building regulations and insurance requirements. It is considered that this is a reasonable proposal in design terms, as the Council are aware of other listed properties in the district that already have taller chimneys that comply with the building regulation criteria. The proposal will look largely similar in character and appearance to the existing chimney, albeit slightly taller, which is not unacceptable in design terms.
- 4.3.4 As such, the proposed development is acceptable in design terms and the scheme is considered in accordance with Policy D1 of the Local Plan, as well as Section 12 of the NPPF.

Impact on Heritage Assets

- 4.3.5 As stated above, the building is Grade II listed and within the Conservation Area. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in the exercise of planning powers in conservation areas "*special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area*". In terms of listed buildings Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that where considering whether to grant planning permission for development which affects a listed building or its setting special regard shall be had to the desirability of preserving the building or its setting or any features of special architectural interest which it possesses.
- 4.3.6 The details of this proposal have been fully considered under the simultaneous LBC application under ref: 23/01769/LBC. The Conservation Officer has no objection to the proposal, subject to the imposition of a condition covering materials for the stack to be Handmade English Red Brick, which have been agreed.

- 4.3.7 As such, the proposed development under this householder application is considered acceptable and will not occasion harm to the listed building's special character or the Conservation Area, in accordance with the Policy HE1 of the Local Plan and Section 16 of the NPPF.

Impact on Neighbours

- 4.3.8 Policy D3 of the Local Plan states that planning permission will be granted for development proposals which do not cause unacceptable harm to living conditions.
- 4.3.9 Given the modest nature and location of the proposal, the scheme is unlikely to result in any material harm to the reasonable living conditions and well-being of neighbours.
- 4.3.10 This is in accordance with Policy D3 of the Local Plan.

4.4 **Conclusion**

- 4.4.1 The proposed development is considered acceptable in design, heritage, and its impact upon neighbouring properties, in accordance with Policies D1, D3 and HE1 of the Local Plan, as well as Section 12 and 16 of the NPPF.

4.5 **Alternative Options**

- 4.5.1 N/A.

4.6 **Pre-Commencement Conditions**

- 4.6.1 N/A.

5.0 **Recommendation**

- 5.1 That planning permission be **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

Reason: To ensure the development is carried out in accordance with details which

form the basis of this grant of permission.

Proactive Statement:

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 6 November 2024	