

REPORT TO THE NORTH AREA PLANNING COMMITTEE

Date of Meeting	22nd June 2011		
Application Number	N/11/00619/LBC		
Site Address	Culver View, 15 Culver Gardens, Malmesbury, Wilts		
Proposal	Replace unauthorised modern double glazed windows with new double glazed windows, remove internal wall and chimney, alterations to doors and windows		
Applicant	Miss Miranda Winram		
Town/Parish Council	Malmesbury		
Electoral Division	Malmesbury	Unitary Member	Cllr Killane
Grid Ref	393476 187000		
Type of application	Listed Building Consent		
Case Officer	Caroline Ridgwell	01249 706639	Caroline.ridgwell@wiltshire.gov.uk

Reason for the application being considered by Committee

Cllr Killane has requested that the Committee consider this application so the Members can consider the scale and design of the development.

1. Purpose of report

To consider the above application and to recommend that listed building consent be REFUSED.

2. Report summary

The main issues in the consideration of this application are as follows:

- Impact on the listed building
- Impact on the conservation area

The application has generated:

- Support from Malmesbury Town Council, Malmesbury Civic Trust and Malmesbury & St Paul Without Residents' Association
- Comments have been received from the English Heritage.

3. Site Description

15 Culver Gardens forms one part of what was originally Culver House that has now been divided into three properties known as 15-21 (odd) Culver Gardens. The building dates from the C16 with C16-C17 North East range divided in the mid C19 and a C20 extension to the South West. 15 Culver Gardens is the southern portion of Culver House and it sits in a prominent location on top of the former town walls, overlooking St John's Street and the valley below. The building was listed Grade II* on the 18th January 1949, which was one of the very first dates that buildings were listed. The description includes mention of the mullion windows with metal frames. Works have subsequently been carried out to the building without listed building consent, including replacement of the metal framed windows with modern softwood framed double glazed windows,

infilling the cellar floor with concrete and blocking up the ground floor fireplace in the sitting room. Also evident is the addition of a modern porch over the front door, rendering the single storey Victorian extension with cement render and the replacement of some internal doors and partitions. There is a garden serving 15 Culver gardens to the south west of the house. This has low walls and a garden building in the south west corner, which was the subject of a previous application by the current owner.

4. Relevant Planning History		
Application Number	Proposal	Decision
11/00612/LBC	Replace existing porch with smaller porch, plus internal alterations including installation of two bathrooms and central heating	Permitted
11/00621/FUL	Demolish existing porch and erect smaller porch	Permitted

5. Proposal

The proposal is to make internal and external alterations to the house, including replacement of modern windows, alterations to the size and design of openings in the single storey Victorian extension and the cellar, removal of the internal section of the central chimney breast in the Victorian section of the building, alterations to internal partitions to reduce the ground floor bathroom to a cloakroom and re-arrangement of the kitchen layout. Also included is the addition of central heating which will require a new combi-boiler and flue to be installed in the ground floor cloakroom and the reuse of an old cupboard door that is currently positioned across half of the cellar window but will be used to enclose a niche elsewhere in the cellar.

The main areas of concern are removal of the Victorian chimney breast and replacement of some of the unauthorised double glazed windows with new double glazed windows.

Chimney breast

This is located in the centre of the single storey Victorian extension to the house. Although it has a modern fire inserted in the hearth, the older structure sits behind and could be re-opened to create a feature. Due to its size and location this chimney breast has a structural function so its removal will require the insertion of structural steels to support the roof and the chimney flue which is not being removed. The proposal is to clad the structural steels in timber to create mock beams. The walls either side of the chimney will be removed entirely and a new ceiling added at the first purlin. The effect when looking up will be to see a mock timber beam under a chimney flue with no chimney breast or fireplace disappearing up into a new ceiling. The room will become a large kitchen with new glazed double doors added in the gable wall. The cloakroom will be in the corner of the kitchen by the double doors to the garden.

PPS5 part 179 states that the fabric will always be an important part of the asset's significance and that retention of as much historic fabric as possible is therefore a fundamental part of any good alteration or conversion. Parts 180 to 182 go on to state that some degree of compromise in use may assist in retaining significance and that the plan form of a building is frequently one of its most important characteristics. If alterations are to take place they should be done in such a way as to be reversible.

Windows and glazing

The existing windows and doors are poorly designed with modern softwood frames and double glazed units. Had an application been received for listed building consent to replace the original windows with those seen on the building now, consent would not have been granted. The design and materials for the windows are an important characteristic and given the high listing grade of this building, together with its prominent site it is important to ensure that the unauthorised windows are returned to those that existed before the unauthorised replacement was carried out.

The proposal is to replace some – but not all – of the unauthorised windows, which in principle is supported. However, the proposed new windows are timber framed, double glazed and crudely

and incorrectly detailed. The use of timber frames in stone mullions will result in a far heavier frame than would originally have existed. This in turn will reduce the amount of light entering the rooms but more importantly, will give a much heavier appearance to the openings of the building. However, by detailing the frames and casements correctly, it may be possible to lighten the impact of the timber frames but they will never be as slim as metal frames.

The gravest concern is the use of double glazing, which necessitates a deeper frame than single glazing, as well as the slight reflection that double glazing gives. There is a misconception that double glazing is better than single glazing as it will mean less heat loss through the windows. Chapter 5 of Energy Efficiency and Historic Buildings published in March 2011 by English Heritage as an update to guidance on Part L, mentions the importance of traditional fenestration and detailing. They go on to state that in terms of heat loss, draught-proofing a single glazed window has roughly the same effect as fitting an additional sheet of glass and tests have shown this can reduce heat loss by nearly 90%. Details for draught-proofing steel and timber casement windows are also given in this document.

6. Planning Policy

The site is a grade II* listed building and lies within a conservation area.
Central government planning policy PPS5
Part L of the Building Regulations

7. Consultations

Malmesbury Town Council – support this application
English Heritage – support in principle but feel that metal casements would be the most appropriate replacement but that timber frames would be possible although the detailing of the windows submitted are rather crude and need to be improved.
Victorian Society – no response
Neighbours – no comments

8. Publicity

The application was advertised by site notice, press advert and neighbour consultation.

2 letters of letters of support received

9. Planning Considerations

Impact on the listed building

The property has undergone a number of unauthorised alterations since it was listed in 1949, resulting in the loss of original windows and harmful materials used on walls and floors. Whilst the fabric that has been lost cannot be resurrected, it is imperative that as much of the remaining original fabric and details are retained in this building. Although the Victorian section is arguably less significant than the C16 and C17 parts of the building, the chimney breast does provide a feature which denotes a phase in the architectural and social development of the building. Removal of the chimney breast would therefore be extremely regrettable and detrimental on the character and appearance of the listed building.

Replacement of the inappropriate windows is applauded in theory but can only be supported if a suitable replacement is proposed. The new windows may be slightly better on paper but in reality they will merely be differently inappropriate. Furthermore, as the proposals omit three windows on the south east elevation, there will be an even greater variety of windows found on this building than already seen which will increase the harm to this prominent listed building and leave unauthorised works to be resolved. These works will be contrary to PPS5 and to guidelines set out in the application of Part L.

Impact on the conservation area

The proposal site is located within the Malmesbury conservation area and set on the edge of part of the former town walls, which are a Scheduled Ancient Monument. The building can be seen from some distance both when looking from streets near the river below and across from the edge of town. As 15 Culver Gardens is on the southern side of what was Culver House, it is the most exposed and most prominent of the properties. Alterations to windows – their details and materials are therefore crucial if changes from what exists are to be considered an improvement in architectural and conservation terms. What has been detailed in the submitted proposals would not be a suitable replacement due to the scale and details shown. In addition, the use of double glazing is inappropriate and will necessitate inaccurate sizes and detailing of frames and glazing bars to new windows. This flies in the face of guidance given within English Heritage's latest publication on the application of Part L of the Building regulations.

10. Conclusion

Factors included in making this judgement were the historic importance of the floor plans and openings to be altered, the scale, design and materials for the windows and the impact of the works on the character, appearance and setting of the listed buildings and surrounding conservation area.

The scale, materials and design of the proposed new windows will have an extremely detrimental impact on the setting, character and appearance of the listed building and the amenity of the Malmesbury Conservation Area. The floor plan of the Victorian extension will be destroyed, resulting in the loss of historic fabric.

11. Recommendation

Listed Building Consent be REFUSED for the following reason:

Due to the design and details of the replacement windows and the inclusion of double glazing, loss of historic fabric through removal of the chimney breast and loss of historic floor plan, the proposals would be exceedingly harmful the historic character, and appearance and setting of the listed building. These proposals would be contrary to advice contained within the Planning (Listed Buildings and Conservation Areas) Act 1990 and PPS 5.

