

REPORT TO THE AREA PLANNING COMMITTEE-
APPLICATION WITHDRAWN

Date of Meeting	19 November 2014
Application Number	14/08721/FUL
Site Address	13 Bowden Hill Lacock Chippenham Wiltshire SN15 2PW
Proposal	Replacement Dwelling
Applicant	Mr Payne
Town/Parish Council	LACOCK
Division	CORSHAM WITHOUT AND BOX HILL- Cllr Tonge
Grid Ref	393226 167895
Type of application	Full Planning
Case Officer	Alison Grogan

Reason for the application being considered by Committee

Called in by Councillor Tonge for the Committee to consider whether the replacement dwelling would have a positive effect on the conservation area when compared with the non descript derelict existing building.

1. Purpose of Report

To consider the above application and to recommend that planning permission be REFUSED.

2. Report Summary

The main issues are:

- Principle of development
- Impact on the character and appearance of the conservation area
- Public open space financial contribution.

3. Site Description

13 Bowden Hill is a detached dwelling situated within the conservation area. The site is outside the core built up area of Lacock, where the residential properties are more sporadic.

The dwelling is sited on the south side and set slightly back from the road and right on the boundary with the neighbour at No. 14. The garden area is mainly to the side and rear with

an existing vehicular access to the west of the dwelling and there are open fields to the rear and across the road to the front of the site.

4. Planning History

N/04/00624/FUL CONSERVATORY TO SIDE

5. The Proposal

The proposal is to demolish the existing two-bed cottage and replace it with a new four- bed house sited in a similar position to the existing but set in from the boundary with the neighbour at No. 14.

6. Planning Policy

North Wiltshire Local Plan 2011:

C3 – Development Control Policy

HE1 – Development in Conservation Areas

H4 – Residential Development in the Open Countryside

CF3 – Provision of Open Space

(Emerging) Wiltshire Core Strategy:

CP57 - Ensuring High Quality Design and Place Shaping

CP58 - Ensuring the Conservation of the Historic Environment

National Planning Policy Framework 2014:

Achieving sustainable development – Core Planning Principles

Chapter 7 – Requiring Good Design

Chapter 12 – Conserving and Enhancing the Historic Environment

7. Consultations

Lacock Parish Council – No objection

Senior Conservation Officer – Verbally stated that this is a traditional cottage that makes a positive contribution to the conservation area and object to the demolition of this non designated heritage asset. Additionally the proposed dwelling is not of sufficiently high quality

Highways – No objection subject to conditions

Environment Services – This development generates a need for £3,100 in off-site open space contribution to be used to upgrade facilities within Lacock.

New Housing Team – An affordable housing contribution would not be sought from this proposal.

Environmental Health – No adverse comments

Ecology – A robust survey of the building has been carried out and confirmed that the building does not support any bat roosts, as such there is no objection to the application on ecological grounds and do not require any conditions or informatives.

Drainage Engineer – Support

Wiltshire Fire and Rescue Service - Comments relating to provisions under the Building Regulations

Tree Officer – No objections

One letter from a neighbour supporting the application

8. Publicity

The application was advertised by site notice and neighbour consultation.

9. Planning Considerations

Principle of Development

The most relevant policy relating to a replacement dwelling in the open countryside is policy H4, which states, amongst other criteria, that:

“ b. The existing dwelling is incapable of retention in its current state, is unsightly or is out of character with its surroundings”.

The existing dwelling is a two-bed detached stone cottage that has been extended with single storey additions to the side and rear. The cottage appears to have been empty for some time and whilst it is not in a good state of repair, it certainly could not be described as unsightly or out of character with the area.

The Senior Conservation Officer has verbally stated that the building is a good example of a typical 19th Century cottage to be found throughout this part of Wiltshire. It is more than a humble cottage and has good quality detailing such as stepped coping on the gable, stone surrounds to the windows and apart from the gable walls is stone throughout. It is considered that the property makes a positive contribution to the conservation area and this non designated heritage asset should be retained.

If the decision is made that the existing building should be demolished then any replacement should be of a similar high quality in terms of detailing and materials. The Senior Conservation Officer has stated that the proposed dwelling is not of sufficiently high quality, as the existing dwelling.

Paragraphs 131, 135 and 137 of the NPPF indicate that new development in conservation areas should make a positive contribution to local character and distinctiveness, enhance or better reveal their significance and in weighing applications that directly affect non designated heritage assets a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Following consultation with the Senior Conservation Officer it is felt that this is a dwelling worthy of being retained and is a non designated heritage asset which makes a significant contribution to the character and appearance of the conservation area. This is consistent with the aims of policy CP58 of the (emerging) Core Strategy which aims to protect, conserve and where possible enhance the historic environment and policy C3(ii) of the NWLP which states that new development is subject to “respect for the quality of the natural and built environment, including the historic environment.....and where necessary include measures for the preservation or enhancement of such features”.

For a replacement to be acceptable under Policy H4 it is also stated that the existing dwelling should be incapable of retention in its current state. The application was submitted

with a structural report and an estimate of costs for the renovation works. The supporting information seems to indicate that it would not be financially viable to renovate the existing cottage rather than it being incapable of renovation.

It is acknowledged that cost is a significant issue for the owner but the scale of the works should be factored into the purchase price. The submitted estimate includes many items which do not relate to structural works, such as new bathroom, kitchen, decoration, carpets, plumbing and heating etc. Much of these works are what you would expect when renovating an older property and whilst such costs are an issue for the owner in terms of budgetary constraints they are not a consideration under policy H4. Furthermore many of the costs outlined would also be associated with a new build.

It is clear that the building is in need of some remedial work, as it appears to have been empty for some time. The main issues highlighted in the survey were; that the cottage did not have foundations and is likely to need underpinning, problems of damp within the property and the costs associated with bringing the house up to current building regulations.

In light of the above, the application was discussed with Building Control, who stated that the building would not need to be brought up to meet current building regulations. They also commented that the majority of cottages of this age would not have had foundations and it was not always necessary to have them underpinned. Building Control have not inspected the building, but they were sceptical that underpinning would be the best course of action for an historic building, as this can often dislodge rubble within the walls and can sometimes be more harmful to the building.

With regard to the damp, Building Control suggest that this is likely to be due to the missing tiles referred to in the survey, the ivy growing on the dwelling and that the property had not been occupied for a length of time. The damp does not seem to be unusual given the age and current state of the property and with some renovations/remedial works could be overcome. Overall it was felt that the cottage would be capable of being renovated.

Design and Impact on the Conservation Area

The existing dwelling is a traditional cottage that is characteristic of this part of Wiltshire, it is largely constructed of stone with stone surrounds to all the windows and stepped coping on the gables. Although of modest proportions it is well detailed and a good example of a C19th cottage. As such it makes a positive contribution to the character and appearance of the conservation area, and its retention would be consistent with the requirement in paragraph 131 of the NPPF that account must be taken of the desirability of sustaining and enhancing the significance of heritage assets. The character and appearance of conservation areas is made up of the cumulative contribution of a multitude of buildings, spaces, topography, tree cover, uses etc and the loss of original historic buildings of good quality, although this may appear significant, can only lead to the impoverishment of that character.

It is considered that the proposed dwelling is not of high quality in terms of design and materials. The Senior Conservation Officer felt that any replacement should at the very least be of the same quality of materials and detailing as the existing dwelling and in this particular case it was felt that the proposal was inferior.

The proposed dwelling has large areas of render to the rear, does not have the good quality traditional detailing of stone surrounds and copings, and is of fairly standard design. Additionally, with the height of the roof being increased by approximately 1.2m and the width increased by approximately 1.5m, it will appear more prominent in the street scene and

overall would not make a positive contribution to the local character and distinctiveness of the area.

It is expected that in replacing a building in a conservation area the new building should be of high quality in terms of design, materials and detailing. This gives scope not only for traditional design, but for traditionally inspired with a modern interpretation or even wholly contemporary.

Further up Bowden Hill, there is a good example of a traditionally inspired replacement dwelling, with a modern twist. This is Church Cottage at No. 33. This award winning building was given consent in 2008 (N/08/01561/FUL) and is constructed of good quality materials, with traditionally inspired detailing where it addresses the public green and contemporary, double height glazed bays to the rear. The Council therefore can aspire to and achieve a high quality for new and replacement buildings in one of its most historic areas.

The NPPF in paragraphs 131 and 137 makes it clear that new development should enhance or better reveal the significance of heritage assets, which is consistent with NWLP policies C3 (i) and (ii), HE1 and policy CP58 in the (emerging) Wiltshire Core Strategy. The Senior Conservation Officer feels that the proposed dwelling does not have the same level of quality as the existing cottage and as such would not comply with either national or local policy guidance.

Public Open Space Contribution

Under Policy CF3 there is a requirement for new development to make a financial contribution towards off-site open space provision, which would be used to up-grade facilities within Lacock.

As this proposal is for a replacement dwelling the contribution has been calculated on the basis of the increase in bedrooms, the existing cottage is a two-bed and the proposal is for a four-bed dwelling. On this basis the contribution that would be sought is £3,170 which would be secured by a S106 Legal Agreement if planning permission is granted.

The agent was asked if his client would be willing to enter in to an Agreement if planning permission was granted and has stated that he is unconvinced that policy CF3 allows for commuted sums where the proposal is for a replacement dwelling, and the increase in bedrooms would also have to be applied to extensions to dwellings.

Environment Services were asked for clarification and have stated that the only reasons where a contribution would not be sought for new development is if the viability of the development would be affected or there was no relevant project to spend a contribution. At a recent meeting with Lacock Parish Council several areas of expenditure were identified; improvements in the play area with the installation of a Springer and safety surface, in the MUGA they would like to provide 2 No basketball hoops and backboards and they would also like to provide adult fitness equipment on the recreation ground. It is considered that the financial contribution is consistent with CIL regulations, in particular regulation 122 and 123.

This information was passed to the agent but there has been no confirmation that the applicant would be willing to enter in to a S106 to secure the contribution.

10. Conclusion

In conclusion, it is considered that this is a traditional cottage which has been identified by the Senior Conservation Officer as being of some merit and worthy of retention being a non designated heritage asset that makes a positive contribution to the character and appearance of the Conservation Area. Additionally, the proposed replacement dwelling is not of the same quality in terms of design and materials as the existing cottage.

Building Control are also not convinced that the building is in such a dilapidated condition that it is incapable of being renovated in its current state.

If planning permission were to be granted there is no S106 Legal Agreement in place to secure the public open space contribution and no confirmation that the applicant would be willing to enter into such an Agreement.

RECOMMENDATION

The application be REFUSED for the following reasons:

1. The demolition of the building would result in the loss of a non-designated heritage asset to the detriment of the character and appearance of the Lacock Conservation Area, contrary to paragraphs 17 (10), 131, 133 and 135 of the NPPF. Furthermore the proposed replacement dwelling is not of sufficient high quality and therefore would not meet the requirements of paragraphs 17(10), 131 and 137 of the NPPF. In addition to this, the proposal would also be contrary to policies C3 (i) and (ii) and HE1 of the North Wiltshire Local Plan 2011 and policies CP57 and CP58 of the emerging Wiltshire Core Strategy.
2. The Council is not satisfied that the existing dwelling is incapable of retention in its current state and therefore the proposal is considered to be contrary to the provisions of Policy H4 of the North Wiltshire Local Plan 2011.
3. The proposed development does not make any provision for securing a contribution towards public open space, contrary to Policy CF3 of the North Wiltshire Local Plan.

