

APPLICATION WITHDRAWN

REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Date of Meeting	11 March 2015
Application Number	14/12103/FUL
Site Address	St Andrews Church West Street Castle Combe Wiltshire SN14 7HT
Proposal	Single Storey Extension To North Elevation, To Provide Disabled WC & Kitchen Facilities, New Vestry/Meeting Room & New Boiler Room.
Applicant	Mr M. Roberts Vertigo
Town/Parish Council	CASTLE COMBE
Division	BY BROOK – Cllr Jane Scott OBE
Grid Ref	384154 177187
Type of application	Full Planning
Case Officer	Alison Grogan

Reason for the application being considered by Committee

Called in by Cllr Scott for the Committee to consider the application given the support of the local community.

1. Purpose of Report

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

2. Report Summary

The main issues are:

- Impact on the Grade I Listed building and its setting.
- Impact on the setting of the neighbouring listed buildings and archaeology
- Impact on the significance of the conservation area

3. Site Description

St Andrew's Church is a grade I listed building originating from the 13th Century. It is located in the centre of the village of Castle Combe, the Church is approached from the main entrance via the Market Place or by a gate off West Street to the rear of the building. There are listed buildings on either side of the main entrance and also along West Street opposing the churchyard.

There is a small existing modern boiler house which is set down into the ground against the outside of the North aisle. The boiler house is a mono-pitched structure set in the central bay between the buttresses and an oil tank is sited on the western side of this structure.

The Church is surrounded by listed buildings and tombs, is within the Conservation Area and also an Area of Outstanding Natural Beauty.

4. Planning History

No relevant planning history.

5. The Proposal

The proposal is to replace the existing boiler room with a new extension that will accommodate a disabled lavatory, kitchen/hospitality area and vestry/office, repositioning of an oil tank as well as a new boiler room. The kitchen/hospitality area will be immediately inside the extension when walking through the newly created door from the church. The lavatory will be to the left and the vestry/office to the right so that these facilities can only be reached by going through the kitchen.

In order to achieve adequate head room inside the new extension, the structure will have a flat roof rather than the existing mono-pitch roof, and there will be a parapet around the edge of the flat roof. The new boiler house will be on the eastern end of the extension, accessed externally and with new steps created to reach the door. The proposed extension will measure at the widest point approximately 3.5m and will have a length of approximately 10.7m. It will be dug into the ground so approximately 1.5m will be seen above ground level, which is approximately 1m higher than the highest point of the existing boiler room to be replaced.

The new oil tank is currently shown as being installed slightly to the left of the new extension, set down low against the wall of the north aisle, to the left of the 4th buttress

6. Planning Policy

National Planning Policy Framework 2012:
Achieving sustainable development – Core Planning Principles
Chapter 7 – Requiring Good Design
Chapter 12 – Conserving and Enhancing the Historic Environment

Wiltshire Core Strategy:
CP51 - Landscape
CP57 - Ensuring High Quality Design and Place Shaping
CP58 - Ensuring the Conservation of the Historic Environment

7. Consultations

Castle Combe Parish Council – Confirmation that the existing north facing windows would remain in full view. Clarification of the location and design of the wood pellet store if the

proposed heating system is installed. The window mullions in the proposed extension should be in stone.

English Heritage – (abridged version, full comments on file) Throughout the course of the pre-application discussions, we have supported the principle of the limited amount of new facilities in a modest extension on the north elevation to the church. However, we have also maintained throughout this process a degree of concern over the size of the extension..... The Visual Impact Assessment demonstrates that the extension will be dug down into the ground, therefore, reducing the height of the final addition. It has also been broken up by reducing the size of the boiler and toilets to a minimum. However, overall the extension will still be large and in covering up much of the north aisle externally, there will be harm. The northern side of the church and churchyard can only be seen from West Drive, however, this will still be an intrusive addition to this part of the church within the context of the Conservation Area and the churchyard itself, therefore impacting on the setting of the Church.....

Whilst these internal alterations do not form part of this application, we still need to consider what the implications of the extension will be on the remaining church and its significance. Internally, it would appear that the harm caused by the scheme will be the relocation of 5 no pews and the loss of some 19th century fabric on the north wall to create the new opening for the door. However, this harm will be outweighed by the benefit of restoring the north Chancel and Knights Chapel and the medieval screen between them. The harm from the impact of the extension externally is the issue that needs to be overcome and consequently we believe that this scheme should be judged against Paragraph 134 of the NPPF.

The Society for the Protection of Ancient Buildings – (Abridged version, full details on file) We have a number of serious concerns about this proposal. Whilst we acknowledge that a case has been made for the installation of WC and refreshment facilities at the church, we do not believe that the proposed solution is the best or indeed the only way through which these needs might be met. We would concur with the advice previously given by English Heritage and note our view that there is scope to make changes to the interior of the church in a way that would not necessarily have a negative impact on its significance..... In this case we are also concerned with regard to the design of the proposed extension and the impact that it will have on the visual appearance of the church as well as on its fabric. The existing north elevation of the church is extremely attractive with its simple symmetry and elegant proportions. In contrast, the proposed extension appears squat and bunker-like whilst also partially blocking the views of the fine aisle windows. We are also concerned that the pattern of fenestration on the proposed extension is visually disruptive as it does not relate to the aisle windows and note that the masonry detailing is disappointingly utilitarian. We would also comment that the sunken nature of the extension means that visitors walking around the church will be very aware of the roof and parapet gutters from their elevated position as well as the awkward junctions between the old and new fabric..... We remain unconvinced that the chosen location is the most suitable place for an extension and we do not feel that the proposed design enhances the architecture of this Grade I listed heritage asset. We therefore conclude that this scheme is likely to harm the character and appearance of this delightful church and we find that we are unable to support this proposal.

Senior Conservation Officer – (abridged comments) Whilst some form of new extension could be acceptable, the current proposal is considered to be unjustifiably large and inappropriately detailed which would harm the architectural and historic integrity of the heritage assets and their setting. Recommend refusal.

County Archaeologist – Support subject to condition relating to archaeological recording of all ground works (including service trenches) and any disturbance to the fabric of the church building during the course of the development.

Wiltshire Archaeological & Natural History Society – Generally in support but commented that any excavations are most likely to reveal artefacts related to burials and therefore a watching brief is essential. Additionally commented that contractors will have to cross and negotiate several monuments within the churchyard and the building itself and safeguards on these aspects must be written into any approval.

8. Publicity

The application was advertised by site notice, neighbour consultation and an advertisement in the Wiltshire Gazette and Herald on the 15th January 2015.

Thirteen letters in support and two letters of objection have been received from local residents. A summary of the key issues raised are detailed below:

- Impact from smells from the kitchen and increase in noise and disturbance.
- Existing problems with drainage and sewerage drains so any increase may exacerbate the situation.
- Unnecessary as there are already facilities in the village.
- Extension not in keeping with the heritage of the church and grave yard.
- The construction will cause a massive disruption to the Market Place.

One letter from the Manor House Hotel, generally in support but commenting that there are concerns regarding noise and disruption to their guests during construction and requesting assurances that their land and car parking would not be used by contractors.

9. Planning Considerations

Policy and Principle

One of the Core Principles of ‘the Framework’ is to 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 determining planning applications, paragraph 131 of ‘the Framework’ includes a requirement for local planning authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets. Furthermore, paragraph 132 of ‘the Framework’ states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. There is also a duty to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.

There is a statutory requirement to pay “special regard” to the desirability of preserving the setting of a listed building. That desire should be given “considerable importance and weight” in carrying out a planning balancing exercise, this principle is set out in the Barnwell Manor Case (Barnwell Manor Wind Energy Ltd v E. Northants DC, English Heritage, National Trust & SSCLG).

The Church is also located within an AONB and conservation area. The NPPF seeks positive improvement in conservation areas. Most explicitly paragraphs 126 and 131 require that local planning authorities should take into account "the desirability of new development making a positive contribution to local character and distinctiveness".

Paragraph 9 says that pursuing "sustainable development involves seeking positive improvements in the quality of the...historic environment...". The design policies further reinforce the objective of enhancement of an area's character and local distinctiveness,

concluding that "Permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area..."

Compliance with both the statutory consideration and the NPPF policies therefore, generally speaking, requires account to be taken of the desirability of taking opportunities to enhance the character and appearance of a conservation area.

It is important to note that the application site is a grade I listed building which is the highest status of protection and less than 1% of all buildings have this status.

Harm

The proposed extension will measure at the widest point approximately 3.5m and will have a length of approximately 10.7m. It will extend across two and a half bays of the aisle, enveloping two of the buttresses and the area where the oil tank is currently located. The breakthrough to this extension is proposed to be created below the north-west window, which is the right hand aisle window when looking at the external elevation. This area of the building is purported to be a later rebuild and dates from the C19 but is important to the historic evolution of this building that any loss is justified. The loss of this historic fabric is considered to have less than substantial harm but the justification put forward, alternatives proposed and public benefit does not justify this alteration.

The extension will be dug into the ground, however, the Senior Conservation Officer has commented that the parapet would be higher than the lowest panes of the windows, thereby partly obscuring the cill and bottom pane on two of the three windows. This is considered to be harmful to the character and setting of the listed building, furthermore three different designs of windows are to be added in the north elevation of this extension, bearing no relationship in design or location to the large aisle windows behind them. The North Aisle is very visible from West Street as there are metal railings separating the churchyard from the road. Additionally, the road is higher than the church floor level so one looks down on the extension. These design features are considered to have an adverse harm on the setting of the listed building.

The Society for the Protection of Ancient Buildings, also raised concerns regarding the proposal partially blocking the views of the fine aisle windows and the design of the proposed fenestration not relating well to the existing windows. In response to these comments the agent submitted an artist's impression of images to demonstrate that the cills would still be visible when viewed from West Street. These images were forwarded to The Society for the Protection of Ancient Buildings, who responded that the images were useful in the sense that they serve to give an enhanced understanding of the scheme but unfortunately they did not help to address the concerns expressed in their letter of advice.

English Heritage have raised concerns regarding the scale of the proposed extension, a view that was shared by the Senior Conservation Officer. Overall the Senior Conservation Officer felt that the proposal was led by the quantity of accommodation that the applicants wish to house within it. During pre-application discussions, the Senior Conservation Officer advised that as with many other churches, some of the facilities, particularly the kitchen/hospitality area, could be accommodated within the body of the church, which would reduce the extension and result in a more usable layout than proposed.

The setting of this listed building also contributes to its significance. This includes the churchyard. The churchyard provides an attractive green space in which to view the church and for quiet reflection of the burial space. The burials are part of the historic and archaeological interest of the church.

Officers have looked at possible impacts from viewpoints around the site and from vantage points from the public highway, and it is considered that the proposed development will have a negative impact on the significance of this grade I Church, its setting and the settings of adjacent heritage assets and is therefore considered contrary to paragraph 132 of the NPPF.

The English Heritage (EH) publication 'New Work in Historic Places of Worship' (2012) advises that places of worship have generally been altered or rearranged a number of times in their history to meet changing needs and the evidence of change is often part of our appreciation of them. The Church has developed over time and the proposed extension would be the latest phase of its evolution. It would be subservient in scale and massing to the church, however, the design, detailing, scale and mass of the extension and its poorly designed parapet would diminish the prominence of the building and its architecture.

The proposal would also disrupt views of the church from many public and private vantage points. Many of these are key views of the church and provide (largely uninterrupted) views of this side of the church. They are not unimportant views of this heritage asset. Whilst it would be possible to see the entire upper parts of the church some of the important features such as lower parts of stone mullions and the cills of the church would be obscured. The disruption from the churchyard and road would detract from an appreciation of the special qualities of the Heritage Asset. This less than substantial harm to the significance of this designated asset also weighs against granting permission.

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 policy CP58 in the Wiltshire Core Strategy. In this particular case it is considered that the proposed extension would be an intrusive addition covering much of the North aisle externally and as such would not comply with either national or local policy guidance. The PPG also advises that minor works have the potential to cause harm and English Heritage have confirmed that these works would comprise such harm.

Benefits

The scheme provides a package of benefits which can be given weight in the overall planning balance. These benefits include the Church being able to provide additional facilities, which may allow for the Church to be open longer and maintain public access to this historic building, particularly as the Church is also used to house museum displays which would be both a community and tourism benefit. This would also reduce the risk of the building being declared redundant and sustain the original use of the building for religious worship in the long term.

The proposed use of the church and the proposed improvements has been formulated over a considerable period of time and in consultation with the local community and Council officers. The new facilities within this building would mainly fill a gap in the provision of the facilities and the scheme would provide an opportunity for the building to be a major community asset and provide additional, more useable meeting facilities for local residents and community groups. The revenue generated would also benefit the local economy and provide additional income for the maintenance and upkeep of the church.

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Impact on the Conservation Area

The majority of buildings in both Castle Combe village and Upper Castle Combe are listed and date from the late medieval period with 17th and 18th Century additions and rebuilding.

Built of natural stone with stone mullion windows and roofed in natural Cotswold stone slate incorporating a variety of architectural styles, such as gable frontage, mansard roofs and fine natural stone boundary walls set in predominantly rural landscape. Since the area was originally designated a conservation area in the 1970s great care has been taken with the evolution of the settlement.

The churchyard comprises one of the few areas of publicly accessible green space within the central part of the village. It makes a positive contribution to special character and appearance of the area. This is an area of high quality townscape and there is a separate duty under section 72(1) of the Planning, listed building and Conservation Act to pay special attention to the desirability of preserving or enhancing the character or appearance of this designated heritage asset.

The proposed development would not detract from the layout of the surrounding streets or diminish the dominating feature of the church tower. In many views into and across the site the new extension would largely be hidden. However, the proposed loss of a sizeable area of churchyard, poorly designed extension and the poor relationship between the proposal and the parent building would erode the townscape qualities of the Conservation Area.

Moreover, the adverse impacts upon the church that have been noted above would also diminish the contribution this important building makes to the special qualities of the Conservation Area. Whilst this would amount to less than substantial harm to the overall character and appearance of the conservation area it adds further weight to the refusal of this application.

Impact on the Area of Outstanding Natural Beauty

The site is within the AONB and paragraph 115 of the NPPF states that great weight should be given to conserving landscape and scenic beauty in Areas of Outstanding Natural Beauty which have been given the highest status of protection in relation to landscape and scenic beauty.

The Church is within the built up area of the village and therefore it is considered that the proposal will not have an adverse impact on the wider natural beauty of the landscape and would not conflict with the key aims of the NPPF and policy CP51 of the Wiltshire Core Strategy.

10. Conclusion

The NPPF advises that harm to a Grade I listed building should be exceptional and permission should be withheld unless it can be demonstrated that such harm is necessary to achieve public benefits that outweigh the harm. In this instance, there are clearly public benefits of the scheme and there is much support from the local community. Whilst this support is noted and not set aside lightly, the Church is a nationally important building.

As set out above, the Court of Appeal judgement in *Barnwell Manor Wind Energy Ltd v East Northants DC, English Heritage, National Trust & SSCLG* is a material consideration and whilst that case involved a very different proposal to the one under consideration, it established that there is a need to give considerable importance and weight to any harm to the setting of a listed building when carrying out the planning balance. Less than substantial harm does not equate to a less than substantial planning objection and there is a presumption that preservation is desirable.

The report identifies that the proposed development would result in less than substantial harm to the significance of a Grade I listed building and less than substantial harm to the

significance of other listed buildings. There would also be harm to the Conservation Area and conflict with local and national planning policies.

The harmful impacts that have been identified above would be long-lasting and the loss of important historic fabric and the setting of the building would be irretrievable. In summary it is concluded that the harm would not be outweighed by the public benefits of the scheme.

The adverse impacts upon the historic environment would be at odds with the environmental role of the planning system and the proposal would not comprise sustainable development. It would conflict with the provisions of the NPPF and the local plan and permission should not be granted for the proposed development.

Officers have given consideration to the scope to achieve the identified benefits of the scheme proposals without the harm or with mitigated levels of harm. It is considered that alterations to the scale design, character and layout of the proposed extension are possible which would at least partially address some of the identified harm and reduce the impact of the proposals whilst still achieving the identified aims of development and needs of the church and the overall benefits of the scheme.

RECOMMENDATION:

Planning permission be **REFUSED** for the reasons set out below:

- 1 The proposed extension would not conserve the heritage assets in a manner appropriate to their significance, contrary to paragraph 17 (10) of the NPPF. The proposal would not sustain or enhance the significance of the heritage assets which are already in viable use and would not make a positive contribution to local character and distinctiveness, contrary to paragraph 131 of the NPPF. The proposed development will have a considerable impact on the significance of this grade I Church, its setting and the settings of adjacent heritage assets and the Conservation Area contrary to paragraph 132 of the NPPF & Core Policies CP57 & CP58 of the Wiltshire Core Strategy . Furthermore, the harm caused, which would be less than substantial, would not be outweighed by public benefits of the proposal, including securing its optimum viable use and is therefore contrary to paragraph 134 of the NPPF. In addition, the proposal would not conserve or enhance the historic environment & conservation area contrary to policy CP57 & CP58 of the Wiltshire Core Strategy.

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