

## REPORT TO THE AREA PLANNING COMMITTEE

<b>Date of Meeting</b>	<b>18 August 2021</b>
<b>Application Number</b>	<b>20/11568/FUL &amp; 21/00220/LBC</b>
<b>Site Address</b>	<b>The Doctors House, 21 Church Street, Sherston, SN16 0LR</b>
<b>Proposal</b>	<b>Two storey extension and internal alterations</b>
<b>Applicant</b>	<b>Dr &amp; Mrs Bartlett</b>
<b>Town/Parish Council</b>	<b>Sherston Parish Council</b>
<b>Division</b>	<b>Sherston</b>
<b>Grid Ref</b>	
<b>Type of application</b>	<b>Full and Listed Building Consent</b>
<b>Case Officer</b>	<b>Lee Burman</b>

### **Reason for the application being considered by Committee**

The application was called in for committee determination by the then ward Member Cllr Thomson to consider the impact of the proposals on the heritage assets and the need for development. The call in has been reconfirmed by the new ward member Cllr Martin Smith.

#### **1. Purpose of Report**

To recommend that the applications both be refused for the reasons set out below.

#### **2. Report Summary**

The key issues raised are impact on heritage assets (Listed Buildings and Conservation Area), related development plan policy and national guidance compliance and the site history.

No representations of objection or support from members of the public have been received.

There is no record of a consultation response from the Parish Council on file.

#### **3. Site Description**

21 Church Street, Sherston is a Grade II listed property dating from the C18. It is an attractive house, with a C-shaped plan, rendered and stone tiled. It has a sizeable level of accommodation that increased when it was extended into the rear outbuildings in the 1990s. It fronts Church Street, the more modern Woods Close runs along the side of the site, is within the built area of the village and within the Sherston Conservation Area. It has a garden to the side and rear of the property, with tall, natural stone boundary walls and timber gates enclosing it.

The application sites sits within the Cotswolds countryside character area for landscape assessment purposes, a groundwater vulnerability zone and the Cotswolds AONB.

#### **4. Planning History**

N/92/00482/FUL Erection of one dwelling and garage and alterations to existing dwelling  
alts/garage & new dwelling Approve with conditions

N/92/00483/LBC Extension/alterations and erection of wall to listed building and erection of  
dwelling extn/alts & new dwelling Approve with conditions

N/08/00971/LBC Installation of Four Solar Panels Refused Appeal Allowed

N/12/01428/LBC Installation of 7 Photovoltaic Panels to the Single Storey Rear Elevation.  
Refused

20/03741/FUL Internal and external alterations. Approved with Conditions

20/04167/LBC Internal and external alterations. Approved with Conditions

PL/2021/07012 Insertion of chimney pot on existing chimney and installation of air source  
heat pump unit. Not yet determined.

Various Tree works applications also submitted and approved.

#### **5. The Proposal**

The description of development is for a two storey extension and internal alterations, involving removal of the original and early windows, infilling the window openings and altering the floor plan. It is proposed to undertake external alterations to create a two storey extension to the rear with a monopitch stone roof and conservation rooflight. Changes to the adjacent rooms by removing the original/early windows and blocking the openings, modern partition between bathroom and study and form cupboard in the boiler room. Existing windows in the proposed utility room and proposed ensuite to be relocated and the opening blocked up and rear wall added to create new room. Following consultation comments from the conservation officer it has been clarified by the applicant team that the description on the plans was not correctly shown and a revised plan (19-092B-102 rev B) has been supplied. The agent has clarified that the floor is not being raised but upgraded with a new insulation and screed but keeping the same existing floor level. However, it should be noted that in order to replace a screed floor, the skirting boards will have to be removed, and there is no information establishing the depth of the footings in this section of the building. Therefore, there is still some impact onto the existing fireplace opening, skirting boards and doors. Rooflights – not proposing to add 4no rooflights, the proposals includes 1no conservation style rooflight, over the new extension's roof, none to any existing roof structures. It is confirmed that the fireplace will not be blocked, nor the chimney removed. However, the rear roof slope is unbroken and is visible in the setting of the grade I listed church, so would harm the significance of this listed building, as well as the setting of other heritage assets.

#### **6. Planning Policy**

Planning (Listed Building and Conservation Area) Act 1990 paragraphs 16 (2) 66(1) and 72(1)

NPPF 2021

Paragraphs 2, 7, 8, 11, 12, 38, 47, 124, 130, 134, 194, 197, 199, 200, 202 & 206

### Wiltshire Core Strategy

Core Policy 1- Settlement strategy

Core Policy 2- Delivery Strategy

Core Policy 13 – Malmesbury Community Area

Core Policy 57- High Quality Design and Place Shaping

Core Policy 58- Ensuring the Conservation of the Historic Environment

### Sherston Neighbourhood Plan

Objective 2- New development should conserve or enhance Sherston's significant heritage assets and promote high quality design.

### Wiltshire Housing Sites Allocation Plan

Settlement Boundary Review

## **7. Consultations**

Conservation Officer – Objection (Reasons addressed in the body of the report below). Objection maintained following clarifications and revised plan received from the applicant team.

## **8. Publicity**

No representations received.

## **9. Planning Considerations**

### Principle of Development

Under the provisions of section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004, applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. At the current time the statutory development plan in respect of this application consists of the Wiltshire Core Strategy (WCS) (Adopted January 2015); saved policies of the North Wiltshire Local Plan; Wiltshire Housing Sites Allocation Plan; and Sherston Neighbourhood Plan.

Reasonable extensions and ancillary development within the curtilage of an existing property are acceptable in principle under the development strategy of the plan, but are subject to assessment of site specific impacts and considerations. Such matters are addressed under issue specific headings below.

It is material to note here that there is an extant planning permission and listed building consent at this site for internal and minor external alterations, some of which are included in the current proposals. As such to a certain extent the principle of development here is already established as acceptable in any event. Furthermore to a degree some of the development objectives of the current application are already consented. As a part of the determination of the previous applications, the proposal were revised to exclude elements originally proposed which were found to be harmful to interest of acknowledged importance and thereby unacceptable. In particular the extension of the property. The current proposals substantively reintroduce those proposal that have already been deemed to be unacceptable for reconsideration.

## Impact on Heritage Assets

Sections 16(2), 66 (1) and 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities in determining planning applications affecting a Listed Building or Conservation Area to pay special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses; and to pay special attention to the desirability of preserving or enhancing the character or appearance of that conservation area.

The dwelling is a designated heritage asset in its own right and as a part of the village conservation area given its age, character, location within the village and history of use. It lies off a main thoroughfare within the village and in close proximity to the Church of the Holy Cross Grade 1 Listed, a central focus for the village community. The location of the property within the village is referenced in the Historic England listing of the building. The listing also addresses the plan form of the dwelling and its key features and characteristics, alongside materials used. As such the heritage values evident from the conservation area location and listing designation of the property area considered to be aesthetic, communal, historical and evidential. The proposed development has the potential to negatively and harmfully impact all of these values, both through alteration of the historic plan form of the dwelling and loss of historic materials and evidence of historic construction techniques.

Whilst the property is prominently located within the village conservation area it is noted that the works and development to and of the building including the extension do not affect the principal facades facing public areas and are predominantly located within the rear central space created by the C shaped historic plan form of the building. The works and development would therefore not be visually prominent themselves from Church Street in the conservation area but can be seen from Woods Close with the spire to the grade I listed church in the view resulting in harm to their significance through loss of architectural form and detail, as well as the introduction of rooflights in the unbroken roofs.





The works and development proposed are described above. It is clear that the extension and the internal alterations to erect new partitions will affect the historic plan for of the building both internally and externally resulting in less than substantial harm to the historical and evidential value and significance of the asset. The proposed extension is modern in character and whilst two storey is relatively limited in scale providing limited additional accommodation to an already substantial and generously proportioned property. There is an existing utility room in part of the former outbuilding that is now proposed to be removed in order to enlarge the kitchen. The two storey extension is principally to create an ensuite bathroom to serve one of the four bedrooms. Consent has already been granted to create a bathroom on the ground floor and there is an existing bathroom at first floor level. The extension itself is considered to harmfully impact the architectural and aesthetic value of the asset through loss of historic fabric and detail. Also, by its discordant use of materials and design character in terms of the proportions of proposed fenestration and roof profile impacting to the historic planform and the character and appearance of the asset. The internal works of new floor insulation and laying of screed and the relocation and blocking up of windows are also considered to result in harm to the architectural and evidential value of the asset through loss of detail, design and obscuring of historic fabric and construction techniques.

The harm identified is within the less than substantial category as defined in the NPPF and by case law but is considered to be to the medium / upper end of that range given the significance of the asset and the range of heritage values negatively and harmfully impacted. As such conflict with the provisions of CP57 (i & iv) & CP58 (iii) arises. Under para 202 of the framework in these circumstances the harm identified must be balanced against the benefits of development, including securing its optimum viable use. The house in its current form is perfectly serviceable and capable of continuing in its optimum viable use, which is as a dwelling. The minimal benefits arise from a third bathroom, constituting additional and improved living accommodation for current and future occupants of the property, but are achieved at the expense of considerable loss of historic fabric and detail. There are some limited economic benefits from the construction works involved. These are all considered to be relatively modest in scale and public scope given the limited works and development involved and the existing substantial scale of the dwelling. Furthermore, many of the internal works prosed already benefit from consent and planning permission. As such the benefits of

development are not considered to clearly and demonstrably outweigh the harm identified. The overall planning balance is addressed in the conclusion below.

#### Impact on Character, Appearance and Visual Amenity of the Locality

Further to the above given the scale, form, design character and nature of the proposals and the current site layout and built form it is not considered that the development proposed would result in a discordant feature, wholly out of character with the property and the locality and of such visual prominence as to result in significant harm to visual amenity. The proposals would be read as part of the existing property and built form and as such it is not considered that harm to the AONB or the locality arises or that conflict with the relevant policies of the plan and the provision of the framework such that consent ought to be refused on this basis.

This setting aside the identified impacts to the conservation area.

#### Impact on Residential Amenities

Given the positioning, form, nature, and scale of the proposals in the context of the current site layout and the relationship to neighbouring properties it is not considered that the proposal results in impacts over and above the existing situation or that significant additional harm arises. Similarly, the proposals are considered to maintain and improve upon existing residential amenity for occupants of the property albeit only to a very limited extent given the existing permissions that exist at the site.

As such the proposals are considered to accord with the relevant policies of the plan and the provisions of the framework in this regard.

#### Other Matters

##### *Highways/Parking*

It is not considered that the development proposed results in a substantial increase in vehicular movement or off street parking requirements over and above the existing situation. As such conflict with the policies of the plan and provisions of the framework in this regard is not identified.

##### *Drainage*

It is not considered that the scale, form and nature of the development proposed and known site constraints and circumstances results in a requirement for detailed submissions in respect of surface and foul water drainage. Furthermore, that these matters are capable of being acceptably and appropriately addressed through the building regulations consenting regime.

## **10. Conclusion**

The proposed extension of and internal and external works to the dwelling are considered to be acceptable in principle. Indeed much of the work proposed already benefits from planning permission and listed building consent. The proposals are not considered to result in harm to the character appearance and visual amenity of the locality, including the AONB. No significant harm to residential amenity or highway safety is identified as arising from the proposals. Drainage matters can be addressed through building control. As such the proposals comply with the requirements of the plan and the framework in these respects.



With regard to the conservation area, the proposals will impact on the heritage assets and their setting, resulting in harm to their significance through loss of architectural form and detail, as well as the introduction of rooflights in the unbroken roofs. Harm is identified with respect to the significance and value of the listed building and conflict with the development plan arises as a consequence. As assessed above the harm identified is not considered to be clearly and demonstrably outweighed by the benefits in heritage terms.

Overall the proposal are considered to be in conflict with the development plan and in relation to the provisions of the framework. Such harm must be given substantial weight in the planning balance. The benefits of development are very modest. The dwelling is already generously proportioned and the scale of additional accommodation modest. Many of the works to the heritage asset already benefit from permission and consent and so are deliverable and no significant additional benefit arises in this context as a consequence. The economic benefits are proportionate to the scale of development involved which over and above the existing consents is relatively modest also. Overall the adverse impacts of development and works to the heritage asset clearly and demonstrably outweigh the benefits of development and as such under the provision of the NPPF and as established by case law planning permission and listed building consent should be refused.

## **RECOMMENDATION**

Refuse the application for Full Planning Permission for the following reason:

The development proposed by virtue of its scale, form, positioning and design character would result in harm to the significance and value of the Listed Building. The proposals are therefore in conflict with CP57 (i & iv) & CP58 (iii) Wiltshire Core Strategy (2015); and paragraphs 194,199, 200 & 202 National Planning Policy Framework (2021).

Refuse the application for Listed Building Consent for the following reason:-

The works proposed would harm the significance of the heritage assets and their setting though loss of historic fabric, architectural detail and understanding of the building's origin. There are less harmful ways to achieve improvements to the building. The works as shown would be contrary to section 16(2), 66(1) and 72(1) of The Planning (Listed Building and Conservation Area) Act 1990, the NPPF (paras 194,199, 200, 202 & 204 the BS7913, as well as CP58 of the Wiltshire Core Strategy.

## **Appendices:**

### **Background Documents Used in the Preparation of this Report:**

Application documentation.