
13. LISTED BUILDING CONSENT APPLICATION: RETROSPECTIVE CONSENT FOR UNAUTHORISED WORKS TO LISTED BUILDING AT 4 ANSON ROW, WINSTER (NP/DDD/0216/0148 P.10387 424138/360408 26/04/2016 DH/CF)

APPLICANT: Mr C Turner

Site and Surroundings

4 Anson Row is the end cottage of a row of four dwellings orientated east to west on the east side of East Bank, Winster, approximately 100m south of the main road through the village. The terrace is directly off East Bank, the gable of number 1 being directly on the roadside, 4 Anson Row is the easternmost of the row, furthest from the road, and the one which is built into the hillside to a greater degree. The cottage was listed Grade II on 23 May 1984, and lies within the designated Winster Conservation Area. In common with the other cottages along the terrace, 4 Anson Row is a two storey dwelling constructed from randomly coursed rubble limestone with gritstone quoins and window and door surrounds and has a pitched roof clad with stone slates.

Proposal

The current application seeks retrospective listed building consent for unauthorised works to the cottage. The works comprise various alterations that have been carried out at the property including: (1) new floors; (2) new ceiling and wall finishes; (3) blocking an access between the kitchen and living room; (4) partial removal of a stud wall in the kitchen area; (5) a replacement staircase; (6) new plank and batten doors; (7) removal of timber handrail at the top of the staircase; (8) removal of timber partition between the staircase and bedroom; (9) a replacement cupboard; and (10) a new extractor vent in the bathroom.

RECOMMENDATION:

That the application be APPROVED.

Key Issues

- The impact of the works on the special historic and architectural interest of the Grade II listed building and its setting.

History

21 November 1991 - Urgent Works Notice served requiring repairs to the roof, chimneys, gutters and windows.

Enforcement 07/0065 – Unauthorised works to listed building.

Consultations

County Council (Highway Authority) - No comment.

District Council – No response to date

National Park Authority (Conservation Officer) - No objections but note that if the applicant had consulted the Authority prior to the implementing the works included in this listed building consent application, advice would have been given on a more sympathetic approach. Some of the works that have been carried out have resulted in some minor harm to the historic building. However, until recently the property was at risk. It is now habitable and the works that have been implemented should secure the longevity of the designated heritage asset. The minor harm that

has occurred by the works, as proposed in this application, is outweighed by the public benefit of restoring the designated heritage asset and securing its original use.

Historic England - Do not wish to offer any comments on this occasion, and recommends that the application should be determined in accordance with national and local policy guidance, and on the basis of the Authority's expert conservation advice.

The Victorian Society, Georgian Group, Society for the protection of Ancient Buildings, Ancient Monuments Society and Royal Commission on Historical Monuments have been consulted on this application but there have been no responses from any of these amenity bodies to date.

Parish Council – Recommends that the application is refused due to modernisation that has resulted in the loss of historic fabric to a Grade II Listed Building. Concerns were expressed that the unauthorised works to the property have been completed at some time in the past unsympathetically and that many historic features have regrettably been lost.

Representations

The Authority has not received any representations on this application during the statutory consultation period.

Statutory Duties

The Authority has a statutory duty to have special regard to the desirability of preserving the Grade II building and its setting and any features of special architectural or historic interest which it possesses. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard must be had to the desirability of preserving the setting of listed buildings. Section 72 of the same Act requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

National Policies

Paragraph 115 of the NPPF says that great weight should be given to conserving landscape, wildlife and cultural heritage in National Parks. Paragraph 129 states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal taking account of the available evidence and any necessary expertise. Paragraph 134 states that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. These policies are consistent with the most relevant policies in the Development Plan

Main Development Plan Policies

Policy L3 of the Core Strategy deals with cultural heritage assets of historic significance, and states that development must conserve and where appropriate enhance or reveal the significance of architectural or historic assets and their settings.

Saved Local Plan Policy LC5 deals with applications for development or works which are within designated Conservation Areas, it states that consideration should be given to (i) the form and layout of the area and views into and out of the site; (ii) the scale, height, form and massing of the proposal and existing buildings to which it relates; (iii) locally distinctive design details including traditional frontage patterns, and (iv) the nature and quality of proposed building materials.

Saved Local Plan Policy LC6 relates to listed buildings and how these will be preserved and where possible enhanced, applications should demonstrate why the proposed works are desirable or necessary. Works which adversely affect the character, scale, proportion, design, detailing of, or materials used, or which would result in loss or irreversible change to original features will not be permitted.

Wider Policy Context

The above Development Plan policies are also supported by the wider range of design and landscape conservation policies in the Development Plan including GSP1, GSP2 and GSP3 of the Core Strategy and LC4 of the Local Plan, which require a high standard of design that is sensitive to the locally distinctive character of the landscape setting, with particular attention paid to the proposals impact on the character and setting of buildings, the character and appearance of the National Park siting, landscaping and materials. LH4 relates to alterations to dwellings, it states that alterations should not detract from the character, appearance or amenity of the original building, its setting or neighbouring buildings.

Assessment

Background

Prior to 2003/4 the cottage had been empty since the 1970's (possibly the 1950's) and the roof had been leaking over a prolonged period of time, this water penetration had resulted in the staircase, first floor partitions and floor boards being rotten. The cottage has been gradually but extensively repaired and refurbished and whilst the District Council's Building Control have been involved in the reinstatement works and advised the applicant throughout, and despite contact with the National Park Authority, the required Listed Building Consents for these works were not applied for prior to works commencing, or at the time of the works being carried out.

Hence the submission of the current application, which seeks consent retrospectively for the various internal alternations that have been carried out at 4 Anson Row including: (1) new floors; (2) new ceiling and wall finishes; (3) blocking an access between the kitchen and living room; (4) partial removal of a stud wall in the kitchen area; (5) a replacement staircase; (6) new plank and batten doors; (7) removal of timber handrail at the top of the staircase; (8) removal of timber partition between the staircase and bedroom; (9) a replacement cupboard; and (10) a new extractor vent in the bathroom.

Item 1 (new floors)

A new concrete floor has been laid throughout the ground floor of the property to the same height as the original floor, as indicated by the remains of the original plaster on the walls being below soil level. These works were considered to be desirable and necessary because the original floor on the ground floor was found to be laid directly onto the earth with no damp proof membrane, leading to damp penetrating the building and putting at risk. The original stone hearth, stone cills and slab entrance hall on the ground floor have all been retained, and the living room has been finished with plain oak floorboards and the kitchen ceramic tiles. Therefore, the new flooring has enabled the dwelling to be brought back into use but has had a neutral impact on the significance of the listed building in all other respects.

Item 2 (new ceiling and wall finishes)

As noted above, the timbers throughout the property were rotten because of damp ingress but the majority of the beams and joists were salvaged, three joists have been replaced like-for-like. Plasterboard panels have since been introduced between the joists, sealed with intumescent paint as recommended by DDDC Building Control to improve fire protection. The internal faces

of the walls have been lined with insulation and plasterboard. In this case, had the Authority been consulted, an alternative ceiling and wall finish would have been recommended but the Authority's Conservation Officer accepts the new ceiling and wall finishes do not harm the character of the listed building.

Item 3 (blocking an access between the kitchen and living room)

The access between the kitchen and living room at the rear of the stairs has been blocked with timber studding and plasterboard, this opening was low and did not have a door frame or door, it is not thought to be original, no materials were removed when the access was blocked up. Therefore, the works have had a neutral impact on the significance of the listed building albeit it would have been preferable to record the access prior to blocking it up.

Item 4 (partial removal of a stud wall in the kitchen area)

The removal of the modern brick wall which formed the side wall of the former pantry has improved the circulation of the ground floor. The amended heritage statement indicates that this was originally a doorway, it is assumed that when this was blocked and the access at the rear of the stairs (Item 3, now blocked again) was created. Therefore the works which have been done have returned the layout to a more original form and have not harmed the building.

Item 5 (replacement staircase)

The replacement staircase in the property is a like-for-like replacement and insofar as these works require Listed Building Consent, replacing what was there before would not harm the significance of the listed building.

Item 6 (new plank and batten doors)

New plank and batten internal doors with black door furniture have been provided throughout the property. The new doors replicate the original doors which were beyond repair and because the new doors are replicas of the originals; they do not harm the character of the listed building.

Item 7 (removal of timber handrail at the top of the staircase)

The former handrail at the top of the staircase had been broken and poorly repaired with a strip of timber nailed together; it was badly affected by water ingress and woodworm and has now been replaced with a like-for-like moulding. These works therefore do not affect the significance of the listed building because these works replace what was there before.

Item 8 (removal of timber partition between the staircase and bedroom)

The removal of these features has resulted in some harm to the building by way of the loss of fabric such as the timber balustrade, which could have been incorporated within the new bathroom partition. However, the new first floor arrangement has enabled the introduction of a bathroom in the most suitable location and this will help secure the future of the building.

Item 9 (replacement cupboard)

The replacement cupboard on the first floor of the property is a like-for-like replacement and insofar as these works require Listed Building Consent, replacing what was there before would not harm the significance of the listed building.

Item 10 (a new extractor vent in the bathroom)

An extractor vent/flue has been introduced in the rear roof slope serving the bathroom which has been created and are the only works included in this application that have any material effect on the external appearance of the building. The introduction of the flue has resulted in some minor harm to the significance of the listed building, however, it is small and does not protrude beyond the ridge of the roof and is black so its visual impact is mitigated.

In these respects, it would have been preferable to introduce the extractor within one of the walls with a sympathetic grill to the external face. However, the angle of the roof and its relationship to the external walls would make this almost impossible. Therefore, these works can be considered to be both desirable and necessary in the context of bringing the cottage back into use as a habitable dwelling.

Conclusions

In conclusion, the works included in this application have been carried out in a manner that is generally sympathetic to the special historic and architectural interest of the Grade II listed building and would have a minimal impact on the setting of 4 Anson Row. However, some of these works have resulted in less than substantial harm to the building but it is acknowledged that this building was at risk and the best way to conserve the building was to bring it back into use for its intended purpose as a dwelling house.

Consequently, the works can be considered to be beneficial because the works that have been carried out can be seen to have secured the long term conservation of the building by allowing the cottage to be brought back in to original use as a dwelling house. In this case, it is considered the benefits of securing the long term conservation of the building outweigh the very limited harm that has been caused by these works.

It is therefore considered that the current application accords with design and conservation policies in the Development Plan and that a recommendation of approval is supported by national planning policies in the Framework. However, as the works have been carried out and have been deemed to be acceptable as completed, it is not necessary to attach any conditions to any Listed Building Consent granted for this application.

Accordingly, the current application is recommended for unconditional approval.

Human Rights

Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)

Nil