

**11. LISTED BUILDING CONSENT – REAR EXTENSION TO PROVIDE HALL, WC AND STUDIO. INSERTION OF WC AT FIRST FLOOR LEVEL. REFURBISHMENT OF BASEMENT FOR USE AS HABITABLE SPACE INCLUDING FORMATION OF LIGHTWELLS FOR BASEMENT WINDOWS. HALL COTTAGE, BAULK LANE, HATHERSAGE (NP/DDD/0617/0647, P.6188, 423186 / 381628, 21/06/2017/AM)**

**Applicant: Mr Michael Shuttleworth**

**Site and Surroundings**

Hall Cottage is located on Baulk Lane in the centre of Hathersage. The property is a Grade II listed farmhouse dating from the late 18<sup>th</sup> century. The listing description includes the farmhouse, boundary wall and gate piers. The property is also located within the designated Hathersage Conservation Area.

The farmhouse stands gable end onto the street and is constructed from coursed squared gritstone with quoins, coped gables, plain kneelers, intermediate and end ashlar ridge stacks and slate roof laid to diminishing courses. The property has two storeys arranged in three bays, with small paned cast iron window frames within flush stone surrounds. There is an off-centre doorway with quoined surround, heavy lintel and shallow moulded hood on moulded brackets. An external stone staircase down from the doorway links it to the front garden which lies at a lower level due to the building having a raised basement level. The garden wall to the south-west roadside boundary has half round copings, incorporating ashlar gate piers, square in plan, with plain caps. There is a doorway through the boundary wall into the garden from Baulk Lane with a semi-circular arched head, with plain planked door.

Access to the property is via Baulk Lane either through the gate in the boundary wall or via the track to the rear of the house. The nearest neighbouring properties are Further House, a Grade II listed house on the far side of Baulk Lane, 3 Baulk Cottage to the south of the site, and 4 Orchard House to the east of the site.

**Proposal**

This application seeks listed building consent for an extension to the rear of the property, alterations to the front elevation to provide light wells to the basement windows, and alterations to the rear wall and cupboard to form a new doorway into the dining room.

The submitted plans show that the proposed rear extension would be single storey with a 'lean-to' roof built from materials to match the existing building. A door and two windows would be in the rear elevation with a bank of three roof lights in the roof. The existing window in the rear elevation would be raised above the new extension. The side wall of the existing rear projecting 'lean-to' would be removed to provide an area for a downstairs WC with the remainder of the proposed extension accommodating a painting studio and hallway.

Finally, the westernmost two bays of the cellar would be converted to a study and bedroom respectively. The submitted application form states that new ceilings would be constructed from plasterboard, external windows and doors would be timber or cast metal.

An application for listed building consent for the proposed works has been submitted and is subject to a separate report.

## **RECOMMENDATION:**

That the application be **REFUSED** for the following reason.

1. **The proposed development would harm the significance of Hall Cottage (Grade II listed). In the absence of any public benefits which could outweigh the harm that has been identified it is therefore considered that approval of the proposals would be contrary to Core Strategy policy L3, Local Plan policy LC6 and the National Planning Policy Framework.**

## **Key Issues**

- Whether the proposed development would conserve the significance of the Grade II listed Hall Cottage or its setting.

## **History**

2009: Planning permission refused for change of use of field barn to domestic garaging space.

2014: Enforcement Ref 14/0260 in regard to alleged unauthorised satellite dish.

2016: Pre-application Enquiry 25636 in regard to proposed rear extension, renovation of basement, re-profiling of front lawn to form banking and steps to access basement.

2016: Planning permission and listed building consent refused by Planning Committee for Rear extension to provide hall, studio, stair to basement and en-suite at a half level. Refurbishment of basement and conversion to habitable space including restoration of original window openings. Re-grading of lawn and access to basement door.

2017: Appeal against the above refusals dismissed. In dismissing the appeal the Inspector made the following comments:

*“With its mix of materials, different heights, two roof planes, and new doorway, the proposed extension would be a complex construction. It would thus be out-of-character with the style of the existing dwelling. To the front banking would be removed to open up and expose the basement windows. The dwelling would consequently appear to have three full storeys and be more grand in appearance and character than a traditional farmhouse.*

*Those changes would be reflected in the interior. The simple plan of three main rooms side-by-side on each floor would be made more complex by the extra rooms, circulation space and new doorways. Furthermore, the traditional importance and status of the front of the dwelling would be undermined by the creation of a new entranceway at the rear, even though the existing front door is currently little used. The disruption of the dwelling’s plan and layout would result in the loss of historic fabric when creating new doorways; the exterior wall at the side of the downstairs WC would also be removed.*

*It did not seem to me that access to the property is especially complicated. The route through the gate, across a corner of the front garden and up the steps to the front door is not long or indirect. Inside, when moving from the utility room or kitchen to the living room one has to cross the dining room. This would still be the case in the proposed layout except that the route would not be diagonally across the dining room. Neither course is particularly circuitous. Far from bringing logic to the internal layout my view is that, in introducing a new entrance and second staircase, the proposed plan would be confusing and would obscure the original, historic layout.*

*The addition of a bedroom and office, albeit in the existing cellar, en-suite bathroom, and painting studio would also make the accommodation considerably more lavish than that usually found in a farmhouse. The existing accommodation does not appear to be significantly inconvenient or to fall far short of modern standards.*

*In order to make the basement rooms habitable, extensive works would be necessary including lowering the floor and surfacing the walls. Opening up the former doorway from the basement would require removal of one of the side walls supporting the external staircase. Additionally, support for the bottom of the staircase would be needed if the level of the surrounding ground was reduced. Insufficient information has been provided in respect of these works and it is not, therefore, possible to assess the effect that they would have on the significance of the building. The cellar door seems to have been superseded by the existing front door which has significance in itself. I do not consider that any benefit in reopening the cellar door would outweigh the harm likely to be caused in doing so. There are also questions as to how existing historic features in the basement would be treated.*

*All in all I consider that the proposed works would harm the significance of the listed building. They would not preserve it or its features of special architectural and historic interest and listed building consent (Appeal A) should not be granted.*

*With regard to the planning application (Appeal B) the extent of harm must be determined. National Planning Policy Guidance (PPG) notes that substantial harm is a high test. The internal works are not subject to planning permission. Nonetheless, the proposed rear extension, including the new doorway, and changes to the front elevation would erode the farmhouse character and appearance of the building. My view is that the impact would amount to less than substantial harm.*

*Where a development 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, including securing its optimum viable use. It would be a public benefit for the dwelling to continue in residential use for the foreseeable future. I have no compelling evidence, however, that the proposed development is essential to enable that or to allow routine repairs, upgrading and maintenance to be undertaken.*

*The proposed development would not conserve the significance of designated architectural and historic assets contrary to Policy L3 of the Peak District National Park Local Development Framework (LDF), adopted 2011. It would adversely affect the character of the listed building and thus would not comply with Policy LC6 of the Peak District National Park Local Plan (LP), adopted 2001.*

*The conservation area includes the central core of Hathersage, a small market town with agricultural origins. The majority of buildings are domestic in scale and built of stone. The proposed extension would mostly be tucked behind the wall fronting Baulk Lane. Whilst it would be higher than this and would protrude slightly beyond the gate post, it would not be unduly visible in the conservation area. The same would be true of the changes proposed to the front elevation which would be concealed by the garden wall. The proposed development would therefore preserve the character and appearance of Hathersage Conservation Area.*

*The Cottage, also apparently known as Further House, is a listed dwelling on the opposite side of Baulk Lane. It is likely to have had a link with agriculture and is of a comparable period and character with Hall Cottage. I therefore consider that, similarly, its significance is within its agrarian past and architectural details. The proposed development would be within the setting of The Cottage but separated by the lane from it. For the reasons set out in the paragraph above the proposed extension and other alterations would not be clearly visible or intrusive in the setting of The Cottage and would not harm its significance.*

*In respect of the conservation area and setting of the listed building, the proposed development would conserve the significance of designated architectural and historic assets and their settings, in line with LDF Policy L3.*

*There would be improved access to the property for disabled people and those with mobility problems, and egress from it in an emergency such as fire. The lower ground level proposed at the front of the dwelling would result in better ventilation, more light and less damp. These would be advantages of the proposal. They are not sufficient, however, to outweigh the harm caused. I am aware of the local support for the proposal. I have taken all the matters raised into consideration but not found any compelling reasons to allow the appeals.”*

### **Consultations**

Highway Authority – No objection

District Council – No response to date.

Parish Council – Raise no objection to the proposals but thought that the changes will clearly improve the living accommodation and bring them up to modern health standards. They also welcomed the proposal to use natural materials. They also welcomed the proposal to use natural materials.

Historic England – No response to date.

PDNPA Conservation Officer – Concludes that the proposed works would harm the significance of the listed building and make the following comments.

#### *“Proposed rear extension*

*The historic form of Hall Cottage shows a clear differentiation between its formal, higher-status front elevation and less formal, largely blank rear elevation. The architecturally significant south-facing frontage is well-fenestrated with a quoined surround and moulded hood on moulded brackets to the main entrance door, approached via an external stone staircase with decorative railings and dressed stone supporting walls. The front door leads to a small internal lobby with the stairs directly ahead and a doorway to each side leading to the principal rooms. The rear, north-facing elevation has a simple, robust historic character and appearance, with few, if any original openings; the existing rear lean-to appears to be visible on the 1809 Enclosure Award Map, and provides access to the rear of the house.*

*The proposed rear (north elevation) extension is simpler in form than that proposed in the previous application, which is to be welcomed. However, this extends across the full width of the original house, obscuring the entire north elevation at ground floor, including the quoins to the south-west corner: although undressed, these are still of historic significance, reflecting the lower status of the rear elevation. The west gable wall to the extension projects further north than the existing historic stone gate pier and would create a narrow, inaccessible space between the gable wall and the freestanding stone wall attached to the gate pier.*

*The proposed bank of linked roof lights would be non-traditional and inappropriate for a simple rear lean-to, and would over-fenestrate this largely blank rear elevation. 2 ground floor windows to the rear extension may also be excessive on this elevation: a single light would be preferable, to retain the character and appearance of the elevation.*

*A feature at the base of the wall to the west end of the north elevation, now partially infilled, is also likely to be impacted on by the proposed extension (see photo). The west gable wall to the new extension would be positioned very close to this feature, and any new flooring within the painting studio would require alteration to, or obscuring of the feature. The applicant has stated*

that, “This area has been altered in the past ...and is not seen as significant enough to prevent the building of the lean-to”, but the feature is not included on the Existing plans and elevations and there is no assessment of its historic significance, nor of how the proposed extension will impact on it.

#### Proposed new staircase down to basement

The proposed plans originally showed the proposed staircase positioned over the existing solid masonry wall within the basement (which supports the east wall to the living room), such that it would not be possible to construct the staircase. Revised plans were then submitted, no longer showing the solid masonry wall but with a narrower partition wall in the basement instead, which would therefore have enabled construction of the staircase: however, photographs taken on site clearly showed that the basement wall is, in fact, a thick masonry wall as originally drawn. A revised sketch has since been submitted, now showing the solid masonry wall but in a different position to that on the original survey drawings, allowing room for the proposed new staircase.

To have three different survey drawings of the basement is worrying: either the original survey drawings were not accurate, or the drawings are now being modified to ensure approval for the new staircase. The submitted sketch is not sufficient for a final decision concerning the proposed new staircase to be made.

#### First floor en-suite

There was no access to Bedroom 2 during the survey and therefore no assessment of the historic significance of the cupboard to this bedroom (with photos) has been provided. The applicant has since clarified that the cupboard is plastered and the doors boarded: the intention is to retain the doors and plaster, with a new opening into the master bedroom to create the en-suite. This would be acceptable in principle, but details of the existing and proposed would need to be conditioned, as would the new door from the Master Bedroom which the applicant has confirmed would be positioned below the truss, and details of any plumbing and extracts.”

PDNPA Archaeology – The minor harm to the archaeological interest of the site can be managed and appropriately mitigated by means of a condition. This is likely to require a degree of building recording to get a full record of the basement prior to alteration and then potentially some other very localised areas of recording/monitoring for when historic fabric is being removed to insert new openings

#### **Representations**

No representations have been received to date.

#### **Main Policies**

Relevant Core Strategy policies: L3

Relevant Local Plan policies: LC6

#### Policy Framework

The National Planning Policy Framework (the Framework) is a material consideration in the determination of any planning application. Paragraph 115 within the framework says that great weight should be given to conserving landscape and scenic beauty in National Park which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage should be given great weight in the National Park.

Paragraphs 128 – 134 in the Framework are relevant for considering development which affects heritage assets. Appropriate evidence to describe the significance of any affected heritage asset should be required to inform decision making and local planning authorities should identify and assess the particular significance of any affected heritage asset taking into account available evidence and necessary expertise. This assessment should be taken into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

Great weight should be given to the conservation of heritage assets within the National Park. The more important the asset, the greater the weight should be. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent unless there are exceptional circumstances. Where a development 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, including securing its optimum viable use.

The Authority's conservation policies reflect the approach taken in the Framework. L3 and LC6 together says that development must conserve and where appropriate enhance or reveal the significance of heritage assets and their setting and that other than in exceptional circumstances, development will not be permitted where it is likely to cause harm to the significance of any cultural heritage asset.

It is considered that policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent policy in the Framework with regard to the issues that are raised because both documents seek to promote sustainable development which conserve and enhance the National Park and its designated heritage assets. Therefore the relevant development plan policies should be afforded full weight in any planning decision on this application.

In considering whether to grant planning permission or listed building consent for the proposals the Authority is obliged to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The Hathersage Conservation Area Appraisal is also a relevant material consideration as is the Authority's design guide (2007) and Alterations and Extensions Detailed Design Guide (2014).

### **Assessment**

The key issue is considered to be whether the proposed works would conserve the significance of Hall Cottage and its setting.

Hall Cottage is a Grade II listed building and therefore for policy purposes is a designated heritage asset of national importance. Further Cottage is also a Grade II listed building located on the south side of Baulk Lane. Hall Cottage is an important building within the designated Hathersage Conservation Area. Local and national planning policies are clear that while extensions and alterations to designated heritage assets such as listed buildings are acceptable in principle, the development must conserve or enhance the significance of the affected heritage assets.

There is a strong presumption against works which would have a harmful impact upon significance unless that harm can be demonstrated to be outweighed by the public benefits of the development. In this case however Hall Cottage is an established dwelling and there is no evidence to suggest the existing three bedroom dwelling is not habitable or viable or that the proposed development is necessary to secure the optimal viable use of the heritage asset. It is

important to note that the Inspector agreed with this conclusion in determining the recent appeal. Therefore while the Parish Council's view that the proposals would bring the development up to 'modern health standards' are noted, it is considered that the proposals would not result in any public benefits.

This is a revised application following the refusal of planning permission and listed building consent by the Authority and at appeal for a larger extension earlier this year. The submitted application is supported by a design and heritage statement which concludes that when taken as a whole that the majority of proposed works would result in a neutral impact upon the significance of the listed building with the creation of light wells and installation of basement windows resulting in a low positive impact.

By virtue of its age, historic relationships and vernacular design it is considered that the significance of Hall Cottage is primarily historic and architectural. The property is a good example of an 18<sup>th</sup> century vernacular house, the principal and formal front elevation of which faces south towards a generous walled garden with the gable of the property facing Baulk Lane. To the rear of the property is the access and the rear elevation which is mainly blank with the existing historic rear 'lean-to' element and few small window openings.

The submitted heritage statement makes the case that there is no evidence that the property was a farmhouse and indeed may have been let to and occupied by professionals. Officers note the evidence provided and agree there is no clear cut evidence that the property was a farmhouse as described in the listing description. However the property remains a traditional vernacular house with a formal frontage and garden and plain rear elevation and this goes to the heart of the historic and architectural significance of the building when taken as a whole.

It is not considered appropriate to describe the formal frontage as more significant and the simple rear elevation as less significant which is the approach taken by the submitted heritage statement. It is the significance of the building as a whole which is relevant and against which the proposed scheme assessed.

The dwelling is two storeys in height but with a cellar which is accessed by an internal staircase. The cellar is not habitable space but there are existing window openings to each of the three bays which have been blocked by the raised level of ground within the garden. There is also evidence of a doorway from the front garden into the cellar which has been blocked by the external steps to the front door above.

The proposed rear extension would be single storey 'lean-to' built from materials to match the existing house. The extension would provide additional living accommodation including a painting studio and en-suite bathroom along with providing a new 'front door' on the rear elevation which would lead to a new hall within the extension with access through the rear wall of the existing dwelling through what is currently a storage cupboard beneath the stairs and into the dining room.

The scale of the extension has been reduced from the previous scheme, however, Officers still have significant concerns in regard to the impact of the proposed rear extension which in combination with the existing 'lean-to' element would extend across the entire rear wall of the building and cover a significant amount of the historic fabric of the rear wall. The extension would be provided with a door, flanking windows and a bank of roof lights which would contrast with the simple robust appearance of the rear elevation.

The proposed extension would also still create a new entrance point into a hallway at the rear of the building which historically is a role reserved for the formal front doorway. The proposed extension would also require the removal of the side wall of the existing 'lean-to' extension along with the creation of a new door opening into the rear wall of the dwelling, at ground floor would result in the removal of significant historic fabric.

It is noted that the size of the extension has been reduced and the form simplified and that the amount of new openings created into the existing building reduced from three to one. However Officers consider that significant weight must be given to the concerns raised by the Conservation Officer and the Inspector in dealing with the recent appeal. It is therefore considered that the proposed extension would harm the rear elevation of the building by extending across the whole rear elevation and up to the gate posts and by introducing details such as the roof lights, windows and door which contrast with the simplicity of the rear elevation.

Furthermore it must be noted that in dismissing the recent appeal the Inspector stated that the existing simple plan of three main rooms would be made more complex by the proposed extra rooms and that the traditional importance and status of the front of the dwelling would be undermined by the creation of a new entranceway at the rear and loss of historic fabric when creating new doorways and removing the exterior wall of the existing 'lean-to'. The current scheme would result in these same changes and are therefore open to similar objections as the previous scheme.

When taken together it is considered that the proposed rear extensions and related internal changes would result in harm to the significance of the listed buildings through the introduction of new extensions which would not conserve the existing simple form, massing and detailing of the existing building and would also result in the removal of historic fabric and harmful alterations to the plan form.

The application also proposes to convert the westernmost two bays of the basement to habitable space including an office and a fourth bedroom. The proposed scheme would create a second staircase down to the proposed study. The application also proposes to create light wells outside the cellar windows to provide light into replacement cellar windows. The replaced cellar windows would be either timber or metal depending upon evidence uncovered on site.

While there is no objection in principle to the conversion of this part of the cellar to habitable accommodation. There are no objections to the creation of light wells as now proposed without altering the wider garden levels, subject to appropriate details being agreed. Officers do however have significant concerns in regard to whether it would be possible to construct the new staircase down to the cellar without removing or altering the existing solid masonry wall beneath.

The proposed plans originally showed the proposed staircase positioned over the existing solid masonry wall within the basement such that it would not be possible to construct the staircase. Revised plans were then submitted, no longer showing the solid masonry wall but with a narrower partition wall in the basement instead, which would therefore have enabled construction of the staircase but require the removal of the historic masonry wall which would be unacceptable. A revised sketch has since been submitted, now showing the solid masonry wall but in a different position to that on the original survey drawings, allowing room for the proposed new staircase.

Therefore further clarification would be required to demonstrate that it would be possible to construct the new staircase without removing or altering the existing masonry wall before Officers could fully assess this part of the proposal. Officers are also concerned in regard to the lack of detail on the submitted plans in regard to the proposed reduced finished floor level in the cellar, proposed tanking and proposed floor and wall finishes. There are also no detailed drawings to show proposed window and door detailed design, finish or joinery work.

Further details would be required for the above before a positive decision could be reached on whether this part of the scheme could be carried out without harm to the character of the basement, plan form or historic fabric. However given the concerns raised about the rest of the scheme it is considered that a decision on the acceptability of the scheme as a whole should be taken before further detailed information is sought by Officers.



It is considered that that when taken as a whole that the proposed works would harm the significance of Hall Cottage. Officers have therefore come to a different conclusion than the submitted heritage statement which concludes that the proposals would result in a neutral impact overall. Officers consider that the submitted application does not attach sufficient weight to the historic relationship between the formal front of the house and the simple rear elevation which historically would have been blank with few openings. There is also no clear explanation in the submitted heritage statement why the rear elevation of the house should be considered to have less significance. It is also considered that there is no clear explanation why the plan form and historic fabric in the walls that would be affected would be acceptable now when very recently was considered to be unacceptable by the Inspector at appeal.

### **Conclusion**

It is considered that taken as a whole the proposed works would harm the significance of Hall Cottage. In the absence of any public benefits which could outweigh the harm that has been identified it is therefore considered that approval of the proposals would be contrary to Core Strategy policy L3, Local Plan policy LC6 and the National Planning Policy Framework.

In the absence of any further material considerations it is therefore considered that the proposals are contrary to the development plan. The application is therefore recommended for refusal.

### **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