

I said I would let you know our latest position by close of today in advance of our commitment to determine this application by next Friday 26th May (unless further time extended).

Prior to the application you sought pre-application advice by request submitted on 14th July 2016. I responded to you following consultation with Conservation colleagues on 25th August 2016 saying:

“So far as we are able to comment with the information received I can offer the following:

The extension is likely to be considered over large (not only its width but its depth) and therefore insensitive to the rear elevation (including the blocking up of a door). It is probable that any proposal which might be acceptable would be significantly smaller than the proposal here and therefore below the scale that the client is looking for.

As is usual with pre-application responses, the advice is given in good faith on the basis of the information available at the present time. The advice may be subject to revision following further examination or consultation, or where additional information comes to light, and is therefore not binding on any future recommendation that may be made by the Council, or any formal decision by the Council.”

After a phone conversation with you following our 25th August response I went on in an e-mail dated 30th August 2016 to say:

“Further to speaking on this I am happy to clarify: the comments are both about the blocking up of a door and expanding a window into a door, all as part and parcel of the proposed extension. If the applicant would like us to consider the door / window changes on their own, please let me know and I will liaise with Gill Bayliss accordingly when she becomes available next week following her return from leave.

As you know, with proposals judged to bring less than substantial harm the NPPF (para. 134) requires the LPA to weigh this harm against the public benefits of the proposal. **In this case I suggest it will be difficult to identify any public benefits and therefore the proposal would be unlikely to be supportable.** [bold emphasis added 18.05.2017]

You have also forwarded a garden wall proposal for which my opinion is that the impact would be harmful to the setting of the heritage asset and neighbouring ones and again therefore unlikely to be supportable.

Whilst these comments are provided without the benefit of a site visit, in this case the details are sufficient for me to believe the conclusions would remain. Of course it remains open for the inquirer to make an application and I draw attention to NPPF para 128 – the LPA should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.

The significance assessment would normally need to be provided by a specialist with appropriate expertise in heritage building assets.

Let me know if there is anything more I can add or clarify.”

Further comment was provided by Gill Bayliss on 7th September 2016 which I forwarded to you the same day in which she ended saying that,

“The introduction of a sun room to the rear elevation is likely to be a discordant feature on the building. There may be potential for a rear extension but it is more likely to be in the form of a simple lean-to and substantially smaller in size than that proposed. Window and door openings should be retained wherever possible.”

At 6th October 2016 you submitted a heritage impact assessment. On the 11th October I forwarded to you further detailed comments of that same date (11th October 2016) from Gill Bayliss. Within her comments she said,

“Further changes without a specialist understanding of the Listed Building run the risk of causing harm to the special interest of the building” and ended by saying, “An understanding of the historic significance of the rear elevation and floor plan is critical to any proposed changes in this area”.

The planning applications we are now dealing with were received 2nd March 2017 and made valid 7th March 2017.

A Site visit was made and street notice placed 21st March 2017.

The application was accompanied by a comprehensive heritage assessment by Mel Morris,. Conservation Specialist.

By arrangement with the agents an indication of the Authority’s likely decision and outline reasoning was given at 27th April 2017. As this was going to be a refusal time extensions have been agreed – the latest being until 26th May 2017 whilst negotiations take place.

A rebuttal of the LPA position by Mel Morris was provided on the 8th May 2017. Gill Bayliss has prepared the attached further response (11th May 2017).

- 1) All along we have consistently expressed strong reservations about the suitability of a sun room / garden room / conservatory on the south elevation.
- 2) We have also been clear that a historic building appraisal would be an essential part of any submission.
- 3) The need for the appraisal has been heeded and the resulting report has been revelatory.
- 4) The south elevation was historically the main front to the property. Despite earlier alterations it strongly retains evident ‘presence’ and credibility in appearance as a main frontage and this is clearly historically significant to this property. The addition of the proposed sun room would strongly undermine this appearance.

- 5) Whilst this may be less than substantial harm, the NPPF is clear that great weight should be given to the conservation of the heritage asset. The harm should be weighed against the public benefits of the proposal, including securing its optimal viable use. I do not see that there are public benefits to counter the harm here and the viability of the property is not at issue.

In conclusion I remain of the view that the LPA should not approve the sun room.

We are happy with the replacement of the corner porch subject to joinery details and subject to three timber inserts rather than glazing in the triangular panel.