STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE

15th June 2017

Application No:	SMD/2017/0139 (Planning Ref) SMD/2017/0179 (LBC reference)	
Location	1 Brook Cottages, Endon ST9 9EY	
Proposal	Erection of single storey sun room on rear elevation, hedge/fence removed and replaced with coursed stone wall with stone capping (1.5m / 2.2m high), existing open porch to be replaced with new exposed natural oak framed structure to match the original design and removal of ground floor W.C.	
Applicant	Mr D and Mrs S Wood	
Agent	Sammons Architectural Limited	
Parish/ward	Endon with Stanley / Brown Edge and Endon	**Date registered** 7th March 2017
If you have a question about this report please contact: Arne Swithenbank tel: 01538 395578 or e-mail arne.swithenbank@staffsmoorlands.gov.uk		

REFERRAL

The application is referred to Committee at the request of Cllr Stephen Ellis in order for the Committee to consider the heritage impact on the property and the Conservation Area and to assess the impact of the proposed changes in conjunction with the restoration/reinstatement work.

1. SUMMARY OF RECOMMENDATION

REFUSE

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 Brook Cottages form a terrace of four houses laid out in an L shaped plan around the road corner at the centre of the old village of Endon. The property is a Grade II Listed two storey stone house thought to date from c.1690 to 1710. The house is attached at its western end to the corner property at 2 Brook Cottages which is also included in the same heritage Listing. The eastern end of the building presents a gable to a broad ginnel along the opposite side of which is the gable of the Old Post Office. The roadside elevation faces north and following a consent granted in 1998 a prominent stone porch has been added. The southern elevation overlooks a courtyard garden and gardens of neighbours. Numbers 3 and 4 Brook Cottages are separately Grade II Listed. All are within the Endon Conservation Area.

3. DESCRIPTION OF THE PROPOSAL

3.1 This is an application for planning and listed building consent. The proposal has five elements:

(i) to remove an internal ground floor toilet;
(ii) construct a perimeter garden wall in dressed coursed stone to 1.5m high in place of an existing privet hedge and section of wicket fence which enclose the garden courtyard to the south;
(iii) to re-construct a small corner porch on the south elevation;
(iv) to replace an existing solid timber door in the centre of the southern elevation with a glazed door;
(v) to construct a garden room 4m in length and projecting c.3.3m (4.0m taking account of its side wall) off the eastern end of the southern elevation served by a doorway to be formed by the removal and enlargement of an existing window.

3.2 It is noted that although all of the above elements are referred to in both the Listed Building consent and planning applications only the wall requires planning permission. The remaining elements are permitted development and only require listed building consent. The application has been assessed on this basis.

4. RELEVANT PLANNING HISTORY

4.1 SMD/1998/1184 and 1185 – alterations of dwelling and construction of porch.

4.2 Pre-application advice was given in 2016 in relation to the current application (PAD/2016/0047).

5. PLANNING POLICIES RELEVANT TO THE DECISION

5.1 The development plan comprises the adopted Staffordshire Moorlands Core Strategy Development Plan Document (26th March 2014) and supporting evidence documents.

Core Strategy Development Plan (Adopted 26th March 2014),
SS1 Development Principles
SS1a Presumption in favour of sustainable development
SS6a Larger Villages – Area Strategy
DC1 Design Considerations
DC2 Historic Environment
DC3 Landscape and Settlement Setting

Adopted Supplementary Planning Documents/Guidance (SPD/G):

- Space About Dwellings SPG
- Design Principles SPG

Core Strategy Supporting Evidence Documents:

- Landscape and Settlement Character Assessment (2008)

National Planning Policy Framework (NPPF) March 2012
Paragraphs 1 – 17
Section 6 Delivering a wide choice of high quality homes
Section 7 Requiring good design
Section 12 Conserving and enhancing the historic environment

6. CONSULTATIONS CARRIED OUT

6.1 Site notice posted 21st March 2017.

Comment	**Officer response paragraph**
No public representations	N/A

Consultee	**Comment**	**Officer response**
Endon with Stanley Parish Council	No objection	
Conservation Officer	(i) Removal of ground floor toilet – no objection (ii) Perimeter coursed dressed stone garden wall – no objection subject to conditions; (iii) Corner porch – subject not to introducing glazed panels, no objection subject to conditions; (iv) replacement of solid timber door with half glazed door – not appropriate to the period character for this elevation, a door with glazed portal was permitted by the 1998 consent; (v) addition of garden room linked with construction of 2.2m high side wall and removal and enlargement of window to form connecting doorway to house – not appropriate in principle on this elevation given its historic context; not appropriate in design.	
Conservation Liaison Panel	Cllr Ellis declared a non-pecuniary interest in the application and left the room for the duration of the discussion. Concern regarding the principle of adding an extension to the historic 'front elevation'. An	

	extension would dominate the frontage and harm the form and character of the building. The fact that the building had witnessed alterations in the recent past was not justification for such a harmful change. No objection to the boundary wall. Considered that the proposed glazed door was not an appropriate design for the status of the elevation.	

7. POLICY AND MATERIAL CONSIDERATIONS / PLANNING BALANCE

Policy Context

7.1 The Local Planning Authority is required to determine planning applications in accordance with the Development Plan unless there are material circumstances which indicate otherwise. In this case the Development Plan for the Staffordshire Moorlands District Council consists of the Adopted Staffordshire Moorlands Core Strategy Development Plan Document (March 2014) with regard also being given to the provisions of the National Planning Policy Framework (NPPF); the Council's adopted Supplementary Planning Guidance documents: 'Space About Dwellings' and 'Design Principles' and the Council's Core Strategy Supporting Evidence Document: Landscape and Settlement Character Assessment (2008). Development boundary mapping remains for the present time as approved under the Staffordshire Moorlands Local Plan (September 1998).

7.2 The development affects a Grade II Listed Building – a designated heritage asset as defined in the NPPF. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 makes it a duty for the Local Planning Authority, in reaching its decision, 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.

7.3 Policy DC2 is to resist development which would be harmful to heritage buildings and features but to promote development which sustains, respects or enhances them. NPPF paragraph 131 says that, in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and (inter alia) putting them to viable uses consistent with their conservation. NPPF paragraph 132 says that, "great weight should be given to the asset's conservation" and that significance can be harmed or lost through alteration or destruction of the heritage asset or development within it setting. Substantial harm or loss to a Grade II building should be exceptional. Paragraph 134 states that where a development would lead to "less than substantial harm to the significance of a designated heritage asset this harm should be weighed against the public benefit of the proposal including securing its optimal viable use".

7.4 The NPPF establishes a set of core land-use planning principles which it states should underpin decision-taking. From the 12 principles there are two in particular that apply here:

• always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;

• 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

7.5 Heritage 'significance' is defined in the NPPF as "The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting."

7.6 National Planning Practice Guidance (NPPG) states that "It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting." It goes on, "Works that are moderate or minor in scale are likely to cause less than substantial harm or no harm at all. However, even minor works have the potential to cause substantial harm."

7.7 Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.

Principle of Development and Main Issues

7.8 The various elements contained within this single application need to be considered in turn. All need Listed Building consent but only the perimeter wall needs Planning Permission as well. The main issues are the impact of the proposals on the significance of the heritage asset; whether any harm would be caused and, if so, and if judged less than substantial harm, whether there would be any public benefits to weigh in favour of the changes notwithstanding any harm identified.

(i) Removal of ground floor toilet. The incorporation of a ground floor toilet was approved under the 1998 consent. Its removal would effect a partial return to the building's earlier state and as such may be considered neutral or in fact beneficial in impact.

(ii) Perimeter coursed dressed stone garden wall. This structure will affect the setting of the building. It appears likely though that the land south of the building has long been apportioned between the neighbouring properties of the Brook Cottages terrace group. The plot is bordered presently by a privet hedge and wicket fence. Whilst a wall would be likely to seem somewhat more substantial, in principle its impact on the setting – with its height restricted to the 1.6m shown in the drawings – need not overly alter the relationship of the

building to its setting. The main issues will be its detailed design form, in particular the manner of the coping, the colour and texture of the stone, block sizes, coursing structure and pointing. If approved these details need to be controlled by condition with a requirement first for a sample panel to be established on site and approved in writing by the LPA. The considerations are different in relation to that part of the wall which it is proposed would form part of the garden room and thus be attached to the Listed Building and also taller at 2.2m. This element is not acceptable and is assessed separately below as part of the garden room.

(iii) Corner porch. This amounts closely to a like-for-like replacement of an existing structure (which would not need consent). As first submitted a vertically divided triangular glazing panel in three parts was proposed to the half gable apex of the porch roof. Subject to this being of timber inserts rather than glass the proposal is considered neutral in impact.

(iv) Replacement of solid timber door with half glazed door – not appropriate to the period character for this elevation. A door with glazed porthole-scale window was permitted by the 1998 consent; the existing solid timber door (with no window) is authentic, successfully replicating appropriate period character, and consistent with the status of the southern elevation as revealed by the historic building appraisal – see below. The Conservation Officer has commented in detail as follows:

- The design of the existing door (inserted in place of a window in 1998) is based on the rare surviving ca.1670 door. The proposal to replace the door with an 18th century door design is not considered appropriate given the status of the building and the significance of this elevation.

(v) Addition of garden room linked with construction of 2.2m high side wall and removal and enlargement of window to form connecting doorway to house – not appropriate in principle on this elevation given its historic significance; not appropriate in design.

7.9 Subject to conditions, items (i) to (iii) are therefore considered not to raise significant issues for the heritage significance of the application building nor for the neighbouring attached and separately Listed buildings nor for the Conservation Area. The main issues arise in relation to items (iv) and (v) which it can readily be understood would alter the external appearance and character of the southern elevation. The applicant's submitted Historic Building Appraisal has revealed that contrary perhaps to present day first impressions the main front to this property was historically the south elevation. The rather dominant and, in design, somewhat overworked porch added to the north elevation following the 1998 consent created an entrance where previously there was only a window.

7.10 A notable feature of the southern elevation is a projecting stone string course or label which runs the length of the building at just above the ground floor window lintels. The quality of the masonry generally is good with neat coursing and prominent corner quoins. Whilst there have been past alterations to the

southern elevation, in particular by some re-sizing of windows, the addition of mullions and the insertion of a central door, previously a window into the buttery, the elevation strongly and credibly retains an air of its status as the original main front. A half glazed door would not be consistent with this character on a building of this age and would contribute to an undermining of the historic interest.

7.11 The proposed solid oak timber framed garden room or conservatory would add, in proportion to the scale of the existing building and its garden courtyard, a substantial structure to the south elevation. The Conservation Officer has commented in detail as follows:

- The heritage statement has shown that the south side of the house was historically the main approach and the high significance of the decorative detailing and intact lobby-entrance floor plan reflect this. Whilst there have been some changes to openings, the simple form of the southern elevation has been retained. The proposal to add a large, glazed structure is harmful as this will dominate the elevation, detract from the uncluttered elevation and introduce a structure which has no design precedent on a building of this age/character.

- The proposed roof pitch is long and shallow which is in contrast to the existing roof pitch.

- The timber structure will sit awkwardly on the new stone side elevation, rather than sitting neatly behind a stone wall to give clear definition between wall and sun-room. It will look contrived.

- The side wall will overlap onto the stone quoin stones at the gable thus masking significant detailing. It will also mask the stone label mould.

- The stone wall to the side is drawn as a cavity-wall construction. There is concern as to whether this walling detail will replicate solid stone walling.

- The addition of a glazed sun-room to the rear will expose domestic paraphernalia of every-day living within the building which is at odds with the large areas of solid walling and small windows which restrict views of internal habitation.

- The alteration of the historic window opening to create a doorway will represent a further erosion of historic fabric and loss of interest.

Design and Visual Impact

7.12 In design the proposed half glazed door would not be in keeping with the age, character and status of the south elevation.

7.13 In a series of details the proposed garden room is found unsuitable as set out by the Conservation Officer and noted above (7.11). It is accepted that the

applicants, with the guidance of their heritage professional, have considered the design and given reasoning. However, ultimately the scale, form and detail remains in conflict. The need to safeguard the projecting label feature forces a compromise in particular with the roof slope and the east side wall. The east side wall although inset 200mm would also still significantly mask the corner quoins. The triangle of glazing sitting atop the proposed wall gives an awkward and overly modern look out of keeping and character.

Impact on the significance of the Heritage Assets

7.14 The applicant's submitted heritage assessment has established the significance of the south elevation as historically having been the property front. Notwithstanding earlier (approved) alterations the south elevation has successfully retained evident 'presence' and credibility in appearance as a main frontage. Given that this is clearly historically significant to this property, alterations which would detract from this are bound to be harmful. The addition of a conservatory / garden room / sun room and introduction of a half glazed door would both add features strongly associated with rear or secondary elevations. Additionally the conservatory would mask historic detailing.

Other Matters

7.15 Consideration has been given to space about dwelling requirements and possible implications for neighbour amenity. The attached neighbouring property in the terrace at right angles to the application property has a first floor window and a dormer window overlooking the application property at close range within c.6m. The dormer however is obscure glazed and the first floor window is small. On balance it is not felt that the proposal would unacceptably interfere with the amenity of the neighbour although the relationship may be considered to compromise the amenity of the applicant in the use and enjoyment of the conservatory but one they are prepared to accept, perhaps being not dissimilar to use and enjoyment of the garden patio area.

Conclusion and Planning Balance

7.16 Three elements of the application, items (i), (ii) and (iii) as discussed at 7.8 and 7.9 above are found acceptable subject to conditions.

7.17 The proposed alteration of the central door and proposed conservatory / garden room are found harmful for the reasons set out in 7.10 to 7.14 above. This harm is judged to be 'less than substantial harm' within the meaning of the NPPF paragraph 134 and quoted at 7.3 above. The harms would be architectural, aesthetic, historic and evidential. No public benefit has been identified to weigh in favour of the proposals. It is considered that a conservatory extension is wrong in principle and that this concern could not be overcome by alternative design.

7.18 In conclusion therefore three parts of the proposal are acceptable and two elements are recommended not to be approved. Express powers to issue split decisions are only given to the Secretary of State and Inspectors in section 79 of the Town and Country Planning Act 1990. They do not extend to Local Planning Authorities.

7.19 The Planning Practice Guidance advises that in cases where the local planning authority considers part of the development to be unacceptable, it will normally be best to seek amended details from the applicant prior to a decision being made. In exceptional circumstances it may be appropriate to use a condition to grant permission for only part of the development. Such conditions should only be used where the acceptable and unacceptable parts of the proposal are clearly distinguishable and with the agreement of the applicant.

7.20 In this case it is considered that although some parts of the development are clearly distinguishable there could be room for doubt in respect of the conservatory and garden wall. Consideration has been given to recommending a mixed or 'split' decision. However, as several items including the more substantive part of the application – the conservatory / garden room – would be recommended for refusal and given its inter-connection with the garden wall it is concluded that recommendation should be made to refuse the application as submitted but to include advice as to those lesser elements which would otherwise have been considered acceptable.

8. RECOMMENDATION

8.1 SMD/2017/0139 (Planning Application) SMD/2017/0179 (Listed Building Application) it is recommended that the Committee refuses the applications for the reasons below:

> **The proposed half glazed exterior door in place of an existing solid timber door to the centre of the south elevation and the proposed conservatory extension and connecting doorway in place of an existing window towards the eastern end of the south elevation are found harmful to the historic character of 1 Brook Cottages, a Grade II Listed Building and whilst judged less than substantial harm this harm must nevertheless be given great weight and this harm is not found to be outweighed by public benefit and is therefore contrary to policies SS6a, DC1 and DC2, and to the NPPF.**

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Operations Manager - Development Services has delegated authority to do so in consultation with the Chairman of the Planning Applications Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. In accordance with Paragraph 187 of the NPPF the Case Officer has sought solutions where possible to secure a development that improves the economic, social and environmental conditions of the area.

9. APPENDICES TO THE REPORT

See 9.1 – Location

9.1 – Location

