

**APPLICATION REPORT - LBC/346671/21  
Planning Committee 7<sup>th</sup> July 2021**

**Registration Date:** 14th April 2021  
**Ward:** Saddleworth South

**Application Reference:** LBC/346671/21  
**Type of Application:** Listed Building Consent

**Proposal:** Single and two storey rear extensions  
**Location:** 1A Lower Tunstead, Tunstead Lane, Greenfield, OL3 7NT,  
**Case Officer:** Sophie Leech  
**Applicant:** Mr. David Sheldon  
**Agent :** Mr. Kenneth Waddington

## **INTRODUCTION**

This application is being reported to Planning Committee in accordance with the Scheme of Delegation as the applicant is closely related to an Elected Member of the Council.

## **RECOMMENDATION**

To refuse for the reason set out at the end of this report:

## **THE SITE**

The site relates to a Grade II listed building, built circa 1730 which is located on the northern side of Tunstead Lane in the small hamlet of Tunstead, approximately 600m north east of the village of Greenfield. There are a number of listed buildings in the Tunstead area and all buildings are characterised by traditional stone and slate. The site lies within the Green Belt and is close to the Peak District National Park.

## **BACKGROUND**

Application refs: HH/345153/20 and LB/345154/20 were refused at the Planning Committee Meeting on 14th October 2020. Subsequently, the applications were dismissed by the Planning Inspectorate on the 15th March 2021. The Inspector concluded that the proposal “would fail to preserve the special interest of the listed building. The scheme would fail to satisfy the requirements of the Act, paragraph 192 of the Framework and Policies 9, 20 and 24 of the Oldham Local Plan 2011”.

This application now seeks a new proposed single and two storey rear extension.

## **THE PROPOSAL**

This application seeks planning permission and listed building consent for a single and two-storey rear extension. The extension would measure approximately 3.2m in depth, 2.8m in width, and at ground floor the extension would measure approximately 7.3m in width and 3.2m in depth. The first-floor section would measure 5.7m in height and the single storey would measure approximately 3.3m in height. Both of these measurements have been taken from ground level which is noted to be slightly lower than the garden area.

## **RELEVANT HISTORY OF THE SITE**

HH/345153/20- Two storey rear extension. Refused – Appeal Dismissed  
LB/345154/20 - Two storey rear extension. Refused – Appeal Dismissed

## **RELEVANT PLANNING POLICY**

The 'Development Plan' is the Joint Core Strategy & Development Management Policies Development Plan Document (DPD) which forms part of the Local Plan for Oldham. The site is located within the Green Belt on the Proposals Map pertaining to the Local Plan.

The following policies are relevant.

Policy 9: Local Environment  
Policy 20: Design  
Policy 24: Historic Environment

## **CONSULTATIONS**

None

## **REPRESENTATIONS**

The application has been advertised by site notice, press notice and individual neighbour notification letters. No representations have been received as a result of such publicity measures.

Saddleworth Parish Council recommend approval of the application.

## **PLANNING ASSESSMENT**

The main issues to consider in this instance include design, residential amenity, the wider implications for the character and setting of the listed building, and Green Belt policy.

### **Design and impact on the character and appearance of the listed building**

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development that affects a listed building or its setting, the Local Planning Authority shall 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.

Paragraph 189 of the National Planning Policy Framework (NPPF) requires the applicant to describe the significance of the heritage asset including any contribution made by its setting with the level of detail proportionate to the assets' importance.

Paragraph 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance, great weight should be given to the asset's conservation and the more important the asset, the greater that weight should be.

A design, access and heritage statement has been submitted with the application and seeks to justify the proposals in terms of the changes made in respect of the outcome of the appeal decision.

In relation to the current proposed plans, the two-storey extension is smaller than the previous extension, however there are still concerns surrounding the design. These have been only partially addressed by the applicant.

### **Extension**

Paragraph 13 of the Appeal Decision states that the previous two storey rear extension was “sited in a position where it would obscure part of the historic fabric of the original 1730s house, in particular the quoin details and areas of smaller phasing and would fail to preserve its special interest”.

While this current proposal has been reduced in width, it still has not fully addressed the issue of obscuring part of the historic fabric of the original building dating back to 1730 and 1750, as indicated on the Building Progression plan submitted with the application.

In addition to this, some of the smaller areas of coursed stone would be covered at first floor, negatively impacting the legibility of the building’s historic phasing which was noted by the Inspector as a significant part of the evolution of this building (Paragraph 13).

The Heritage Statement suggests that the first-floor bathroom area would be accessed through the window at the top of the staircase (the window was added in the 1960s) and the stonework below the window would be removed to form the doorway. Notwithstanding this, some of the rear elevation would still be obscured by a modern extension.

The Council agrees with the Inspector in that the loss of the unsympathetic ground floor bay window would be a benefit to the scheme, but overall, this would not outweigh harm caused by the loss of original fabric in the oldest part of the building. The Inspector cited this as a fundamental issue in Paragraph 14 and it is considered this has not been overcome by the new proposal.

### **Windows**

The previous proposal included the enlargement of the side window opening to the kitchen extension and full-length timber patio doors. The Inspector stated that this would replace an existing uPVC window and would be a positive step in terms of using more appropriate materials (Paragraph 15), however the scale and design of the patio doors would fail to respect the historic character of the dwelling.

The new proposal included ‘shadow windows’ which would have filled the gap between the new and existing stonework. The design and access statement suggested that this design would allow the connection between the building and the extension without intervention to the existing historic structure allowing the build to be reversible. While limiting the loss of fabric is a positive step, in this case the design of the proposed windows is not in keeping with the traditional character of this dwelling. This was raised as an issue and consequently, the Agent has removed these windows. However, as a result of this, the proposal now has no window openings at first floor.

### **Roof**

The proposed extension remains with a cat slide roof which is still considered to be at odds with the form of the existing roof. The Inspector agreed this was an issue (Paragraph 17) and the differing roof pitch would result in a discordant addition to the dwelling. The cat slide roof remains with an awkward roof junction providing a small flat section where the roof would join. This is uncharacteristic of the traditional form and design of the building and uncharacteristic of the wider area.

## **Summary on design and heritage**

As the Inspector stated, the listed status covers all the architectural interest as a whole. This is not just confined to the principal elevation. The rear of the building is as important to its special interest. The alterations made are still considered to cause harm to the character of the listed building by virtue of the two storey which would obscure views of the historic part of the building. In addition, the roof design is not in keeping with the dwelling or reflective of the wider character of the area.

It is concluded that the works subject of this application would result in 'less than substantial harm' in the context of NPPF Paragraph 196. In such circumstances, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

No public benefits have been identified to the current proposal, however the previous public benefits cited that the extension would improve the damp currently within the building. The Inspector concluded at Paragraph 24 that the property needs some renovation and maintenance and the proposed works would have some public benefit in helping to preserve a heritage asset. However, the Council agrees that these essential maintenance works could be undertaken without the property being extended.

The building is listed for its historic or architectural interest in its entirety, and this includes its historic context and setting. The fact that the works are not being undertaken on a principal elevation, does not diminish the importance of ensuring the character and appearance of the building as a whole is protected.

Additionally, the Applicant states that "in the future the works could be reversed", however this was raised previously with the Inspector concluding that it was not clear how the works could be reversed satisfactorily to ensure the viability of the building.

It is clear that there are no public benefits arising from the proposal, and therefore, it must be concluded that the development will harm the historic significance of the heritage asset, contrary to the provisions of the Act, and both national and local planning policies.

## **Residential amenity**

The relationship of the extension to neighbouring properties ensures there will be no detrimental impact.

## **Green Belt policy**

Paragraph 145 of the NPPF states that "the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building" would not constitute inappropriate development in the Green Belt. Having regard to the scale of the proposed extension it is concluded that the development would conform to the relevant policy and therefore not harm the fundamental aim or purposes of the Green Belt.

## **CONCLUSION**

Allowing for the conclusions in respect of the implications for the character and appearance of the listed building, and subsequent conflict with the aims of the aforementioned local and national policies concerning the historic environment, this application cannot be supported.

## RECOMMENDATION:

Refuse Permission, for the following reason:

1 The proposed extension represents a visually incongruous addition to the historic building by reason of its appearance and scale. As such it would cause 'less than substantial harm' to the significance of a heritage asset, as assessed by Paragraph 196 within the NPPF. No public benefits have been demonstrated to outweigh the identified harm, and therefore, the proposal would be contrary to the requirement of Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies 9, 20, and 24 of the Oldham Local Development Framework and Part 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework.

## LOCATION PLAN

