

**APPLICATION REPORT – LBC/347521/21
Planning Committee 16th February 2022**

Registration Date: 6th September 2021
Ward: Saddleworth South

Application Reference: LBC/347521/21
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 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

Previous Applications (reference numbers HH/345153/20 and LB/345154/20) proposing single and two storey rear extensions to the property were refused by the Planning Committee at their meeting on 14 October 2020. Subsequently, the applicant lodged appeals with the Planning Inspectorate which were both dismissed by on 15 March 2021. The Inspector concluded that the proposals *“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 was followed by amended application (reference numbers HOU/346670/21 and LBC/346671/21 which were also refused by the Planning Committee at their meeting on 7 July 2021. These applications remain the subject matters of ongoing appeals lodged with the Planning Inspectorate.

THE PROPOSAL

Listed building consent is now sought for a single and two storey rear extension. However, the associated household planning application has not yet been submitted.

The extension would measure approximately 3.35m in depth and 6.15m in width at ground floor level. At first floor level it would measure 3.35m in depth and 2.85m in width. The overall roof height would measure 5.15m with an eaves height of 3.35m. It is proposed to construct the extension in stonework to match the existing property.

RELEVANT PLANNING HISTORY

HOU/346670/21 – Single and two storey rear extension – Refused (07/07/21) – Appeal pending

LBC/346671/21 – Single and two storey rear extension – Refused (07/07/21) – Appeal pending

HH/345153/20 – Two storey rear extension – Refused (20/10/20) – Appeal Dismissed

LB/345154/20 – Two storey rear extension – Refused (20/10/20) – Appeal Dismissed

RELEVANT PLANNING POLICIES

The following policies of the Joint Core Strategy and Development Management Policies Development Plan Document are relevant to the determination of this application:

Policy 9 - Local Environment;
Policy 20 – Design;
Policy 22 – Protecting Open Land; and,
Policy 24 – Historic Environment.

National Planning Policy Framework (NPPF)

CONSULTATIONS

Conservation Officer:

Following consideration of the most recently amended plans received on 22 November 2021 these do not address concerns raised to previous applications which led to their refusal.

The proposed two storey element would still represent a visually incongruous addition to the historic building by reason of its appearance and scale therefore causing 'less than substantial harm' to the significance of the heritage asset. In line with paragraph 202 of the NPPF, when assessed against the public benefits of the scheme, the public benefits put forward would not outweigh the identified harm.

Overall, it is considered the proposal would not serve to preserve or enhance the special interest of the listed building, contrary to the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF and Oldham's Local Development Framework.

REPRESENTATIONS

The application has been advertised by means of neighbour notification letters, site notice, and press notice. No representations have been received in response.

PLANNING CONSIDERATIONS

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 194 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 199 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 justifies 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 first floor section is wider than the previous first floor section and the single storey section remains as previously refused in terms of its width, height, and design. The roof has been altered to create a continuous cat slide roof design, whereas previously there was a small flat roofed section and then a catslide roof. The amendments are therefore not considered significantly different to the previous refusals.

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 1730's house, in particular the quoin details and areas of smaller phasing and would fail to preserve its special interest"*.

The current proposal has now been increased in width at first floor level but it is now proposed to glaze the link between the extension and the property to reduce any harm on the historic fabric of the building. Whilst this alteration has been made the extension, by virtue of its siting, would still obscure parts of the original building dating back to 1730 and 1750 as indicated on the Building Progression plan submitted with the application.

The Heritage Statement suggests that the first-floor bathroom area would be accessed through the 1750s stone wall where previously it was proposed to access the bathroom via a 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. It is now considered that the harm caused by removing 1750s stonework would be greater than the previous proposal to remove the more recently added window.

The recent appeal decisions are a material planning consideration in the assessment of this application for listed building consent. There is continued agreement with the Inspectors' view 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 of the Appeal Decision and it is considered this has not been overcome by the new proposal.

Windows & Doors:

The previously refused applications 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 includes a timber door which would be acceptable. However, both side elevations of the extension would have glazed panelled windows which are not in keeping with the traditional character of the property or wider area, impacting on how the property is viewed from outside.

The Heritage Statement suggests that the extension has been designed to have no negative impact on the historic core and is designed to be reversable. It also states that the building elements (of the extension) take into account principles from the Saddleworth vernacular. The Council disagrees with this as glazed panels are not a traditional feature on any historic building.

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 and the differing roof pitch would result in a discordant addition to the dwelling. The cat slide roof now flows straight from the main roof; however, the bulk of the extension results in an incongruous addition by reason of the overall appearance and scale, causing harm to the building.

Summary

As the Inspector has previously stated, the listed status covers all architectural interest as a whole and is not just confined to the principal elevation. The rear of the building is as important to its special interest. The proposals are still considered to cause harm to the character of the listed building by virtue of the first floor section which would obscure views of the historic part of the building and would provide an untraditional glazed link to the building, causing harm to the design and appearance of the building.

It is concluded that the works subject of this application would result in 'less than substantial harm' in the context of NPPF Paragraph 202. In such circumstances, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

The applicant has explained that *"the proposal is a very small addition to the building which can be fully appreciated and does not affect the reading of the buildings historic heritage. The design details relating to the reversibility of the proposal and minimises the physical affect to the removal of an extremely small area of historic stonework under the staircase window. The use of natural stone coursed to match the existing utility and stone roofs would reduce any impact when viewed from distant viewing points"*.

It is considered that the proposal could not be easily reversed and there are no public benefits demonstrated which clearly outweigh the extent of harm identified. 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.

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 and is recommended for refusal for the following reason(s):

REASON FOR REFUSAL

1. The proposed extensions represent a visually incongruous addition to the historic building by reason of their appearance and scale. As such it would cause 'less than substantial harm' to the significance of a heritage asset, as assessed by Paragraph 202 within the National Planning Policy Framework. 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 (NOT TO SCALE):

1A Lower Tunstead Lane
Greenfield OL3 7NT

Location plan

Scale 1:1250 at A4

