

**Item No 14:-**

**16/01692/FUL (CT.9171)**

**14 Hatherop  
Cirencester  
Gloucestershire  
GL7 3NA**

**Item No 14:-****Single storey extension  
at 14 Hatherop  
Cirencester**

<b>Full Application 16/01692/FUL (CT.9171)</b>	
<b>Applicant:</b>	Mr R Lait
<b>Agent:</b>	Abberley Design Ltd
<b>Case Officer:</b>	Joe Seymour
<b>Ward Member(s):</b>	Councillor Ray Theodoulou
<b>Committee Date:</b>	14th December 2016
<b>RECOMMENDATION:</b>	<b>REFUSE</b>

**Main Issues:**

(a) Impact upon the Character and Appearance of the Hatherop Conservation Area and the Impact upon the Setting of numbers 21 and 22 Hatherop

**Reasons for Referral:**

The application has been reported to the Planning Committee for determination at the request of the Ward Member, Councillor Ray Theodoulou, for the following reason: "I suppose my view would not normally be considered a planning reason. What I am saying is that a certain amount of development must be tolerated in these village houses in order to encourage owners to make them fit for modern living and maintain them to a high standard. This will ensure their long term viability and their preservation for future generations.

There is a balance between fossilization and preservation for modern living and this application is in my view acceptable in that context."

**1. Site Description:**

The site comprises part of a symmetrical pair of semi-detached estate workers cottages (numbers 14 & 15) set at a right angle to the village road and set back from the highway by approximately 6 metres. The pair of cottages lie in close proximity to, and form part of a group with numbers 21 and 22, which are listed grade II; the site to which this application relates is therefore within their setting.

The site is within the Hatherop Conservation Area and within the Cotswolds Area of Outstanding Natural Beauty (AONB).

**2. Relevant Planning History:**

None

**3. Planning Policies:**

NPPF National Planning Policy Framework  
LPR15 Conservation Areas  
LPR19 Development outside Development Boundaries  
LPR42 Cotswold Design Code  
LPR46 Privacy & Gardens in Residential Development

**4. Observations of Consultees:**

Conservation Officer: views incorporated within the Officer's report

**5. View of Town/Parish Council:**

Not received

**6. Other Representations:**

2 third party letters of support: the proposed extension matches in well with the existing cottage, in terms of materials and appearance; it closely matches extensions to similar cottages in the street (21 & 22) undertaken over the last 30 years; it will not have a detrimental effect on the neighbour's privacy, daylight or access, or upon the overall appearance of the village

**7. Applicant's Supporting Information:**

Design & Access Statement

**8. Officer's Assessment:****(a) Impact upon the Character and Appearance of the Hatherop Conservation Area and the Impact upon the Setting of numbers 21 and 22 Hatherop**

In considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority is statutorily required 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, in accordance with Section 66(1) of the Planning (Listed Buildings & Conservation Areas) Act, 1990.

The site lies within the Hatherop Conservation Area (CA), wherein the Local Planning Authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the area, in accordance with Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

Whilst the cottage is not listed, it is nevertheless a characteristic, picturesque 19th-century estate worker's cottage, and as such is considered to be a non-designated heritage asset. Paragraph 135 of the National Planning Policy Framework advises that the effect of an application on the significance of non-designated heritage assets should be taken into account in determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Section 12 of the National Planning Policy Framework asks that Local Planning Authorities should take account of the desirability of sustaining or enhancing the significance of heritage assets. Paragraph 132 states that when considering the impact of the proposed works on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It also states that significance can be harmed through alteration or development within the setting. Paragraph 133 states that where a proposed development will lead to substantial harm applications should be refused unless it is demonstrated that that harm is necessary to achieve substantial public benefits. Paragraph 134 states that where a development proposal will cause harm to the significance of a designated heritage asset that is less than substantial harm, that harm is weighed against the public benefits of those works. Paragraph 135 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account and that a balanced judgement is required having regard to the scale of any harm or loss and the significance of the heritage asset.

Policy 15 of the Cotswold District Local Plan states that development within or affecting a conservation area must preserve or enhance the character or appearance of the area as a whole, or any part of that area. Uses that create additional traffic, noise or other nuisance, which would adversely affect the character of the area, would not be permitted. But development may be permitted if it can be demonstrated that the proposals can help an area to remain alive and prosperous, without compromising its character or appearance. It states that development will be permitted unless: it involves the demolition of a building, wall or other structure that makes a positive contribution; new or altered buildings are out-of-keeping with the special character or appearance of the area in general or in a particular location (in siting, scale, form, proportions, design or materials); or there would be the loss of open spaces that make a valuable contribution. Finally, it states that although minor householder development is likely to be acceptable proposals that cumulatively adversely affect an area may not be permitted, that reinstatement or enhancement of historic features (such as boundary walls) will be sought, and that new dwellings or other substantial structures (especially those covering more than one plot) are unlikely to be acceptable.

#### Significance:

Number 14 forms one of a pair of cottages (with number 15) placed on the main road, to the west of a side road which leads to a further row of cottages. They are orientated east, towards this side road, end on to the main road. They have symmetrical front/east elevations, and, although altered, this has also been done symmetrically: the original doors have been replaced by windows (although the scars of the original timber porches are still clearly visible), and new doors inserted. These porches, and the path leading to them are clearly visible on the first edition OS map (1882), and, with the architectural composition, prove conclusively that the east elevation was architecturally and functionally the principal façade of the pair.

The pair of cottages on the opposite side of the side road, 21 and 22, form a group with 14 and 15 in that they flank this side road, and they match in terms of detailing and are clearly contemporary and by the same hand; the differing composition and orientation are typical of such consciously picturesque design. They are clearly visible as a designed group when viewed from the east.

21 and 22 are listed, the list description stating that they were built in the 1850s by A.G. Ponsonby for the Hatherop Castle Estate; it also states that they are one of several estate cottages by Ponsonby, but are exceptional (and therefore by implication listed) because they alone have an unaltered façade.

Consequently 14 and 15 have significance not just as a symmetrically composed pair of picturesque estate-workers cottages, unlisted, but undoubtedly non-designated heritage assets. As such they contribute positively to the character and appearance of the designated conservation area. Furthermore, by clearly forming a group with the listed 21 and 22, they reinforce the picturesque estate-worker's character of the latter, thereby contributing positively to setting and significance of the listed cottages.

#### Proposal:

The proposed extension would project from, and obscure over half of the original front elevation of the cottage. This would severely compromise the original principal façade of number 14; and would seriously erode the symmetry of the pair, which would no longer be legible as a characteristic, symmetrical pair of such cottages. The proposal would thereby harm the architectural and historical value and significance of both 14 and 15 as non-designated heritage assets.

By eroding both the original and picturesquely designed front elevation, and the characteristic symmetry of the pair, it would harm the contribution that they make to the setting and significance of 21 and 22.

Similarly, by harming both their own characteristic form, the setting of the adjacent listed cottages, and narrowing the historic wide side road leading to a longer row of cottages, the proposal would fail to preserve or enhance the character and appearance of the conservation area, thereby failing to sustain its significance as a designated heritage asset.

As such the proposal would fail to sustain the significance of the designated conservation area, or the setting of the designated 21 and 22, and of the non-designated 14 and 15. No public benefit would accrue from the proposal, which consequently would conflict with Sections 7 and 12 of the NPPF and Policy 15 of the Cotswold District Local Plan.

## **9. Conclusion:**

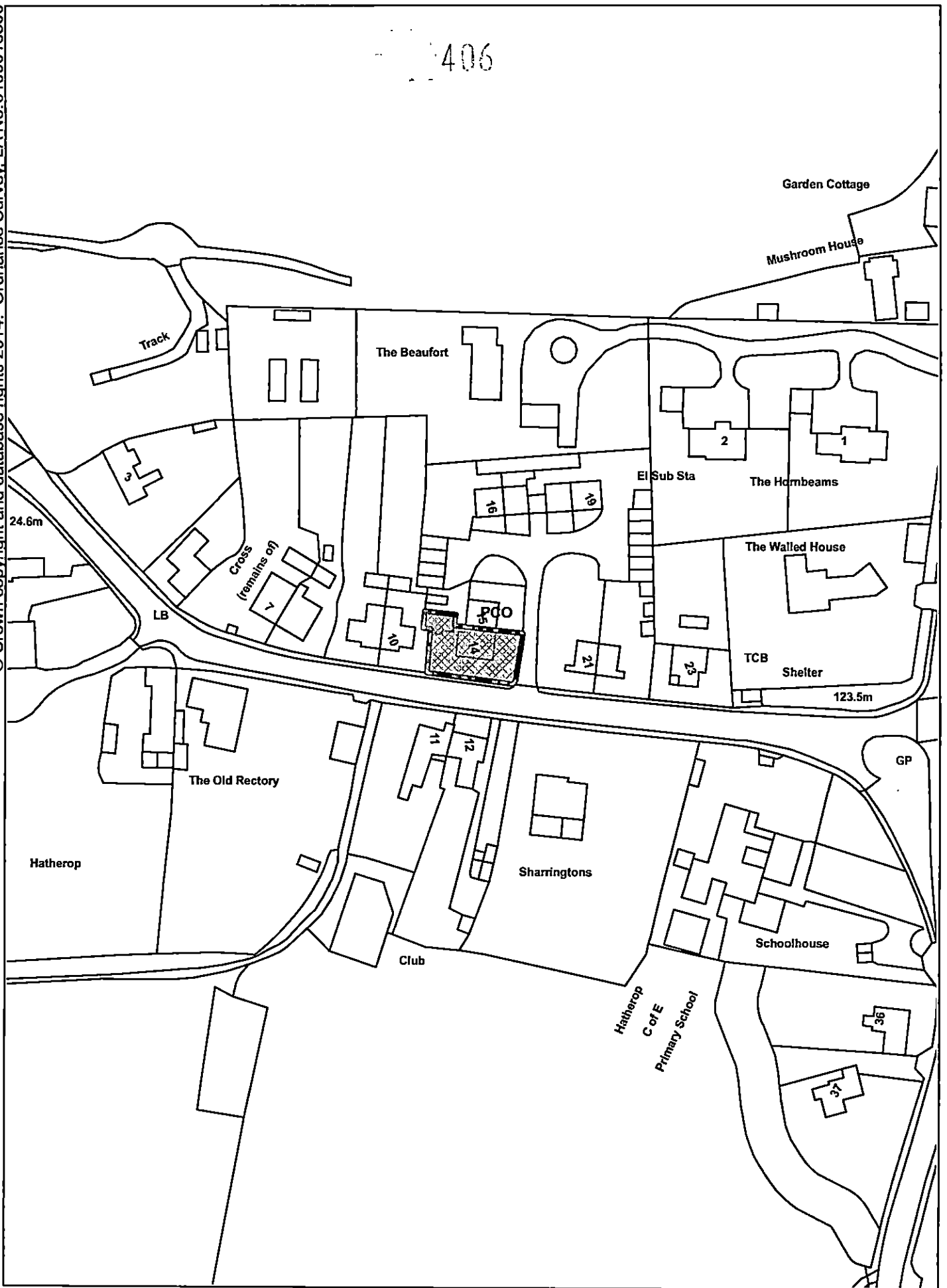
The application site comprises part of a pair of characteristic and picturesque 19th century estate workers cottages and is considered to be an undesignated heritage asset and is also located within the Hatherop Conservation Area. This pair of cottages contributes positively to the character and appearance of the CA. The proposed extension would severely compromise the original principal facade of the cottage and seriously erode the symmetry of the pair and thus harm the architectural and historical value and significance of both number 14 and 15 as non-designated heritage assets. Consequently, the proposed development would harm the contribution that these cottages make to the setting of numbers 21 and 22 and to the character and appearance of the CA. The proposals are therefore contrary to the provisions of Sections 7 and 12 of the NPPF and Cotswold District Local Plan Policy 15.

## **10. Reasons for Refusal:**

1. 14 Hatherop lies within the Hatherop Conservation Area, wherein the Local Planning Authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the locality. In addition, the site lies within close proximity to, and forms part of a group with 21 and 22 Hatherop which are grade II listed buildings; the application site is thus within their setting. Consequently, the Local Planning Authority is statutorily required to have special regard to the desirability of preserving the listed buildings or their setting or any features of special architectural or historic interest which they possess.

The application site is one half of a characteristically symmetrical pair of picturesquely-composed, mid-19th century model estate worker's cottages, and forms a group with, and contributes to the setting of the matching and contemporary numbers 21 and 22, which are listed by virtue of their less altered state. As such it also contributes positively to the character and appearance of the estate village of Hatherop, which is a designated conservation area. The proposal, by placing an extension on the principal façade of the building would severely compromise the original composition, eroding the symmetry of the pair, harming the setting and significance of the adjacent listed buildings, and neither preserving, nor enhancing the character and appearance of the conservation area. No public benefit would accrue from the proposal, and thus the proposed development would fail to accord with Sections 7 and 12 of the NPPF and Policy 15 of the Cotswold District Local Plan.

406

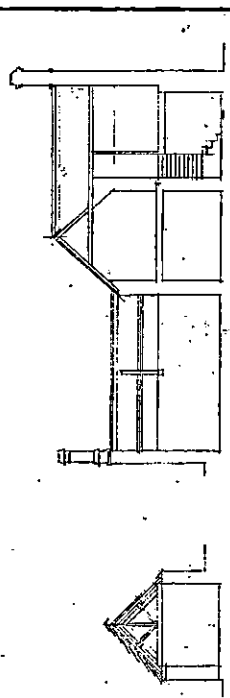


# 14 Hatherop

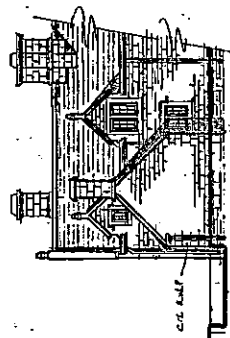
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Department:

Date: 30/11/2016 Scale: 1:1250

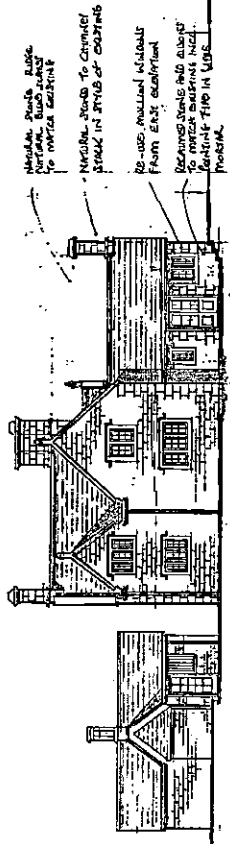




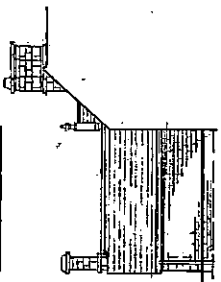
SECTIONS



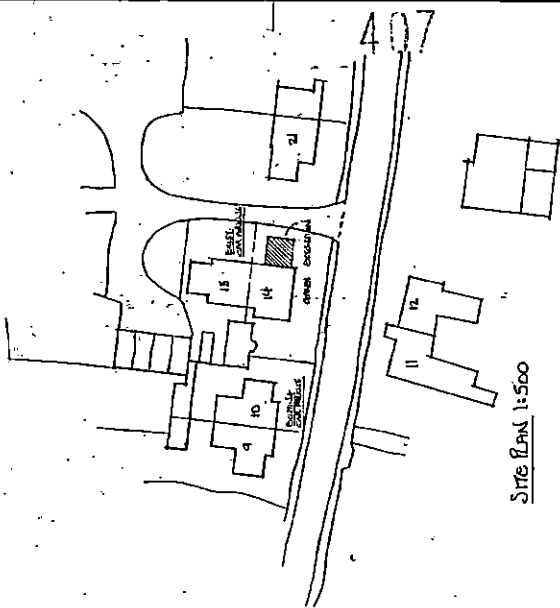
EAST ELEVATION



SOUTH ELEVATION



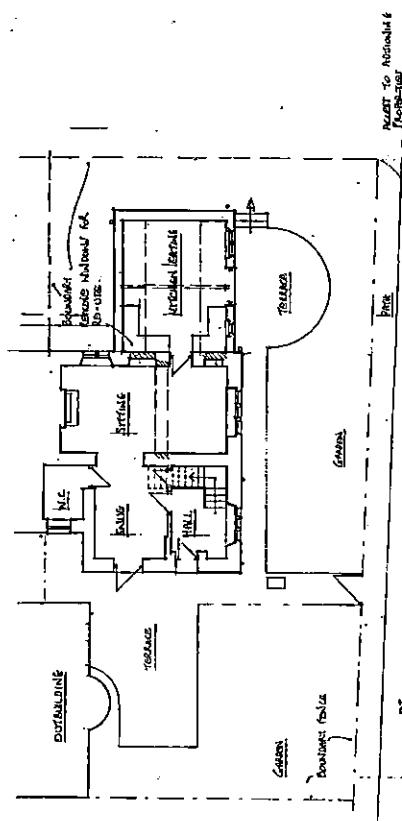
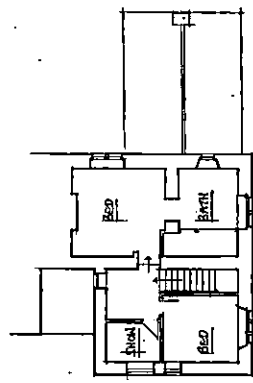
NORTH ELEVATION



DESIGNED BY  
 MR. R. LANT  
 ARCHITECT  
 10 HERRING  
 GARDEN  
 GUY'S CLIFF  
 LONDON, W.C.1

Abbey Design  
 ARCHITECTS  
 10, HERRING GARDEN, GUY'S CLIFF, LONDON, W.C.1  
 TELEPHONE: 01-235 4444  
 TELEGRAMS: 433333  
 CABLES: 433333  
 10, HERRING GARDEN, GUY'S CLIFF, LONDON, W.C.1

PROJECT NAME	Abbey Design
CLIENT	Abbey Design
DATE	1960
SCALE	1:500
PROJECT NO.	1016-2A
DATE	1960
SCALE	1:500



FIRST FLOOR

GROUND FLOOR 1:100





