

**Item No 09:-**

**16/02807/FUL**

**50 Chester Street  
Cirencester  
Gloucestershire  
GL7 1HG**

**Item No 09:-****Proposed replacement single storey rear extension at 50 Chester Street  
Cirencester Gloucestershire**

<b>Full Application 16/02807/FUL</b>	
<b>Applicant:</b>	Mr & Mrs Gethin Musk
<b>Agent:</b>	Martin Leay Associates
<b>Case Officer:</b>	Christopher Fleming
<b>Ward Member(s):</b>	Councillor Joe Harris
<b>Committee Date:</b>	13th June 2018
<b>RECOMMENDATION:</b>	<b>REFUSE</b>

**Main Issues:**

- (a) Design and impact on the Grade II listed building.
- (b) Impact on neighbouring living conditions
- (c) Archaeology

**Reasons for Referral:**

The application has been referred to committee by Cllr Joe Harris to assess the impact of the proposals on the listed building

**1. Site Description:**

The application site comprises a Grade II listed building, a three storey town house fronting Chester Street in the Cirencester South Conservation Area and there are several other listed buildings nearby.

**2. Relevant Planning History:**

14/04523/FUL and 14/04524/LBC - Applications withdrawn for replacement single storey rear extension.

**3. Planning Policies:**

LPR46 Privacy & Gardens in Residential Deve  
 NPPF National Planning Policy Framework  
 LPR12 Sites of Archaeological Interest  
 LPR15 Conservation Areas  
 LPR42 Cotswold Design Code

**4. Observations of Consultees:**

The Council's Conservation Officer has recommended refusal. His comments form the basis of the Officer Assessment below.

County Archaeologist - No objection subject to conditions

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

Support proposal

**6. Other Representations:**

No representations at time of writing report

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

Design Details

Design and access Statement

**8. Officer's Assessment:****(a) Design and impact on the Grade II listed building.**

Number 50 Chester Street is a Grade II Listed Building. The Local Planning Authority is therefore statutorily required to have special regard to the desirability of preserving the building, its setting, and any features of special architectural or historic interest it may possess, in accordance with Section 16(2) of the Planning (Listed Building and Conservation Areas) Act 1990.

It also lies within the Cirencester South 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 area, in accordance with Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

Section 12 of the National Planning Policy Framework (NPPF) 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.

The Council's emerging local plan policy EN10 (Designated Heritage Assets) provides protection to designated heritage assets and their setting. When it has been identified that harm would be caused to a designated heritage asset, development would not be permitted unless it can be demonstrated that the public benefit would outweigh the harm. Officers consider that this policy is largely consistent with guidance in the NPPF and is now a material consideration that is considered to carry moderate weight.

The application site forms a characteristic, modest, mid-19th century terraced house; the northern end of a row of three which are listed together. Despite its date it does not appear on the 1st edition OS (1875), but it does appear on the second (c.1901).

The second edition OS clearly shows that all three houses had rear offshoots; those to 52 and 54 are paired, but that to 50 was freestanding, behind a two-room front block; indicating that they are certainly early, very probably original.

Historic England's Historic Environment Good Practice in Planning - Note 2 advises that it is important to understand the significance, and the impact of the proposal upon that significance, as well as understanding the nature, level and extent of that significance.

Conservation Principles advises that new work can be acceptable if it meets a number of criteria, one of which is that "the proposal would not materially harm the values of the place".

Historic England's Listing Selection Guide Domestic 2: Town Houses identifies that such plan-forms are characteristic of terraced houses from the 17th century on, as can be seen not just in Cirencester, but in London, Bath, Cheltenham, and most English towns. The same Historic England document advises that the survival of the historic plan-form contributes to significance.

Historic England's Making Changes to Heritage Assets also advises that: "historic fabric will always be an important part of the asset's significance".

The present offshoot comprises two elements, the masonry element abutting the main body of the house, & a light-weight conservatory projecting into the garden.

The masonry element appears to correspond to the offshoot shown in the second edition OS map, and appears to be, in part at least, historic fabric (beneath the modern surfaces). Consequently it comprises historic fabric, and part of the historic and characteristic plan-form of the building, which is legible both internally, and on the rear elevation though the balance of rear wing and lightwell.

Whilst a large opening has been made in the rear wall to access the conservatory, the quantity of fabric removed is limited, and the historic plan-form is clearly legible. It therefore contributes to the aesthetic value and significance of the listed building.

The conservatory is modern and not a characteristic feature of such modest houses; it has no intrinsic significance, and makes no positive contribution to the significance of the building as a whole.

The current proposal proposes a contemporary replacement single storey extension which would result in the loss of both parts of the rear offshoot. The removal of the historic, masonry portion would entail the loss of historic fabric, and the loss of a characteristic plan-form, which is still legible on the rear elevation. This would harm the character and special interest of the building, thereby failing to sustain its significance as a designated heritage asset. The harm would be less-than-substantial, but would nevertheless still be considerable. The building is currently a single dwelling, and is therefore already in its optimum viable use. Consequently no public benefit would accrue from the proposal, which would therefore be contrary to the NPPF.

The conservatory is not of significance, and its removal and replacement would not, subject to the scale and design of any replacement structure, harm the significance of the heritage asset.

Taking the above into account, the principle of replacing the conservatory is acceptable, and the principle of infilling the light-well with a light-weight infill is potentially acceptable, but it is either or; to do both would have an incremental impact upon the rear of the building in terms of the scale, and the potential enveloping of the historic offshoot, which would be harmful to the character and significance of the building.

The proposal does include the reinstatement of sash windows upon the rear elevation, which would be an enhancement, and a public benefit; although this would be somewhat limited by the inappropriate detailing of the sashes, with horns, sealed units, and chunky, applied glazing bars. This limited public benefit would not outweigh the harmful impact of the demolition of the historic offshoot.

In conclusion, the proposal would entail the demolition of the historic, probably original offshoot, resulting in the loss of historic fabric, the erosion of the characteristic historic plan-form, and of the characteristic pattern of offshoot and lightwell, thereby failing to preserve the character and special interest of the listed building, or to sustain its significance as a designated heritage asset. The harm would be less-than-substantial, but it would nevertheless be considerable; any public benefit that would accrue from the proposal would be limited, and would not outweigh the harm.

The proposal is therefore contrary to section 12 of the NPPF, and the adopted local plan policy 42.

### **(b) Impact on neighbouring living Conditions**

By virtue of the extensions scale and siting in relation to neighbouring properties, the proposal would not have an adverse impact on neighbouring living conditions. In addition, an adequate area of garden would be maintained and privacy and daylight to neighbouring properties would not be adversely affected compliant with the adopted local plan policy 46.

### **(c) Archaeology**

The application site is archaeologically sensitive since it is located within Cirencester's Roman town. While not within the area of the Roman town which is designated a Scheduled Monument, the proposed development area may nevertheless contain archaeological remains of high significance. Ground works required for development may therefore have an adverse impact on significant archaeological remains.

Following consultation with the County Archaeologist it was noted that this planning application is supported by drawings showing that the proposed extension will be supported on a rafted foundation to be inserted a maximum of 600mm below current ground level. Taking this into account it is considered that the proposed foundation will minimise any impact on any archaeological remains.

Therefore, there are no objections in principle to the proposed development. However, it is recommended that if members are minded to permit the application, it would be prudent to make provision for archaeological monitoring of the proposed development so that any significant remains can be recorded. This could be done through a condition in accordance with the adopted local plan policy 12.

## **9. Conclusion**

The application is recommended for refusal due to the proposal resulting in the demolition of the historic, probably original offshoot, resulting in the loss of historic fabric, the erosion of the characteristic historic plan-form, and of the characteristic pattern of offshoot and lightwell, thereby failing to preserve the character and special interest of the listed building, or to sustain its significance as a designated heritage asset. Overall officers consider that the harm would be less-than-substantial, but it would nevertheless be considerable; any public benefit that would accrue from the proposal would be limited, and would not outweigh the harm. The proposal is therefore contrary to section 12 of the NPPF and the adopted local plan policy 42.

## **10. Reason for Refusal:**

The proposal would entail the demolition of the historic, probably original offshoot, resulting in the loss of historic fabric, the erosion of the characteristic historic plan-form, and of the characteristic pattern of offshoot and lightwell, thereby failing to preserve the character and special interest of the listed building, or to sustain its significance as a designated heritage asset. The harm would be less-than-substantial, but it would nevertheless be considerable; any public benefit that would accrue from the proposal would be limited, and would not outweigh the harm. The proposal is therefore contrary to section 12 of the NPPF and the adopted local plan policy 42.