

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

3 November 2010

AUTHOR/S: Executive Director (Operational Services)/
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**S/0816/10/F & S/0817/10/LB – KINGSTON
Side Extension, Alterations and Detached Garage.
Internal Changes – Remove Partition Walls to Dining Room and
Form New Corridor to First Floor,
Create New W.C's, En-suites and Bathrooms
at The Old Rectory, Rectory Lane, Kingston for Mr S Gardner**

Recommendation: Refusal

Date for Determination: 15 July 2010

Notes:

This Application has been reported to the Planning Committee for determination on the recommendation of an elected member of the District Council.

Members will visit this site on 3 November 2010

Site and Proposal

1. The Old Rectory is a Grade II* Listed Building and falls within the village development framework and within Kingston Conservation Area. The Old Rectory has developed in several principle phases from the 12th to 17th centuries. At its heart are the remains of an aisled hall dating from the earliest period and this was flanked by cross wings in the characteristic manner of English medieval houses. The dwelling is timber framed, with clunch rubble and dressed clunch.
2. The site comprises the main dwelling, an existing thatched barn and a flat-roofed double garage to its south-east boundary. To the east of the site is All Saints and St Andrews Church, which is a Grade I Listed Building, to the south are neighbouring dwellings along Rectory Lane and to the north and east is countryside.
3. The application proposes: (i) a two storey cross wing to the eastern end of the building to form a new kitchen area to the ground floor with a master bedroom to the first floor; (ii) the demolition a single storey side lean-to to 'The Cottage' and internal alterations to the main house to improve internal circulation including linking 'the Cottage' back in to form one house; (iii) removal of partition walls to the dining room and the formation of a new corridor to the first floor; (iv) Formation of three new bathroom areas in the main house and (v) the erection of a freestanding triple garage with associated demolition of existing double garage and making good the barn building.

Amendments

4. For clarity the application has been subject to two sets of amended drawings. The first amendments are franked on 30th July for a revised design that lowered the

height of the extension, redesigned the side and rear elevations and revised the fenestration. The second amendments are franked 26th August and changed the rear lean-to on the extension to a flat roof, replaced the stable door on the rear elevation with a part glazed door and revised the fenestration on the rear flat roofed section.

Planning History

5. Planning permission (ref **SC/0459/73/F**) was granted in July 1973 for a new driveway and a double garage. This was followed by listed building consent for part demolition and alteration, damp-proofing walls, relaying floors and new double glazed windows in 1993 (**S/2020/93/LB**).
6. At the time of the submission of the current application a concurrent application was submitted as a second option to extend the Old Rectory to the rear at two storey (**S/0848/10/F** and **S/0849/10/LB**). This application was subsequently refused due to the harm to the special character and appearance of the Old Rectory, caused by virtue of the position, scale, bulk, form and appearance of the development that would visually and physically dominate the rear and side elevations of the property, resulting in significant change to the appearance of the Grade II* Listed Building. The application was found to present insufficient justification for the aforementioned harm that would be caused to the significance of the historic asset. In addition, the development was refused on grounds of harm to the Conservation Area and the setting of the adjacent Grade I Listed Church to the West.

Planning Policy

7. **National Policy**
 - (i) **Planning Policy Statement 5 (PPS5): *Planning for the Historic Environment***
 - (ii) **Planning Policy Statement 5: Planning for the Historic Environment: *Historic Environment Planning Practice Guide***
8. **Local Development Framework Development Control Policies (Adopted July 2007):**
DP/1 (Sustainable Development), **DP/2** (Design of New Development), **DP/3** (Development Criteria), **DP/7** (Development Frameworks), **CH/3** (Listed Buildings), **CH/4** (Development Within the Curtilage or Setting of a Listed Building), **CH/5** (Conservation Areas) and **NE/6** (Biodiversity).

Consultation

9. **Kingston Parish Council** – No recommendation. The house is a Grade II* Listed Building of exceptional historical and architectural importance, and is in the Conservation Area. Kingston Parish Council does not feel it is competent to comment on the merits or otherwise of the proposed alterations but asks that the Planning Committee and Conservation Department in reaching their decisions, take into account the extreme sensitivity of the property and the surrounding area.
10. The comments go on to include concerns about the impact on the village caused by the building work, the narrowness of the access and delivery of materials and they suggest conditions regarding the weight and size of vehicles. They also suggest that damage to wall, verges, fences, road surface, drains etc are made good by the developers.

11. **Tree Officer** – No Objection.
12. **Ecology Officer** – Recommend refusal. The report highlights a number of important observations, namely: 1) The assessment was undertaken in Feb 2010. This is outside of the main bat activity period and given the rain and snow of the winter any external field signs would have been lost. Thus the assessment was conducted in a sub-optimal period to gain info on how bats might use external features of the buildings. 2) In the Old Rectory it is reported that thousands of various aged droppings were found, and is thought to be a possible maternity roost. This is important. 3) In the Thatched Barn much less bat activity (15 droppings) was recorded, and the building is thought to be a relatively minor bat roost. 4) The report describes "Implications for development" part 2.3.4 (regarding the Old Rectory) states, "In order to be more certain of the proposed impacts of the work on bats, a more complete understanding of the nature of the bat roost including species and number of bats involved, how they are accessing and leaving the building, and the nature of the roost is required". This information has not been supplied yet the applicant has had the spring and summer months in which to collect the information.
13. The applicant's ecologist suggests that further survey work could be made a condition of any permission granted. I do not feel that this is the right approach given that very little is yet known about the species of bat(s) present, how bats access the buildings and whether or not bats are present at the site during the winter. If compensatory habitat needs to be provided the principle of its provision needs to be considered before any planning permission is granted otherwise issues may arise later that cannot be successfully resolved.
14. I recommend that the application is refused on inadequate ecological information to fully assess the implications of the development upon a protected species (bats). Policy NE/6 part 3, biodiversity is relevant. I do not wish to suggest a condition, as I do not feel that I yet understand how the development can be adequately mitigated with respect of any impact upon the species of bat(s).
15. It was noted that the ecologist was keeping a watching brief for barn owls and found no signs. However, given the age of the building and its number of holes and crevices the building may also be used by house sparrows, starlings and swifts. Has any consideration been given to this point? Summer surveys could have investigated this.
16. **Listed Building Officer** – Recommend refusal. There is concern about the design in particular the proportions, fenestration and the dormers and the loss of the C19 addition. Amendments were received on 30th July for a revised design that lowered the height of the extension, redesigned the side and rear elevations and revised the fenestration. The amendments were not considered to address the fundamental concerns about the scale, form, massing and detailing of the extension and there is still an objection to the proposals. Further amendments were received on 25th August that changed the rear lean-to on the extension to a flat roof, replaced the stable door on the rear elevation with a part glazed door and revised the fenestration on the rear flat roofed section. The amendments were not considered to address the fundamental concerns about the scale, form, massing and detailing of the extension and there is still an objection to the proposals.
17. **English Heritage** – Recommend refusal. "The Old Rectory has developed in several principle phases from the 12th to 17th centuries with significant later additions and modifications. At its heart are the remains of an aisled hall dating from the earliest period. This was flanked by cross wings in the characteristic manner of English

medieval houses. At the western end of the hall the stone-built 14th century crosswing still stands with a series of important architectural details. There was probably a similar crosswing at the eastern end, but this was replaced in the early 17th century after the hall was floored over and a fine fireplace introduced. The Old Rectory is a remarkable building containing important historic fabric. The various phases of development have also produced a building of particular character from which its history can be read.

18. The house has until recently been divided into two properties. The present owner wishes to reunite these and I have no objection to this in principle. Creating circulation through the building on the first floor is essential to do this and even if the building were to operate with a 'Granny annex'-type apartment in the smaller cottage I can see how this would also be needed. I have therefore encouraged exploration of the historic roof structure and am comfortable that the first floor circulation can be changed as proposed without loss of important fabric or significance. Similarly, the desire for ancillary accommodation in the outbuilding and garage do not present a harmful impact, although I would defer to the Council on the exact details of how this is achieved.
19. The proposed internal alterations to the ground floor chiefly affect 19th century fabric. The aisled hall was significantly altered when a fireplace was put in and the present front wall established (i.e. the arcade removed). Investigation has revealed that the present rear wall of this ground floor room does not contain relics of the rear arcade either and appears to be on a slightly different alignment from the former arcade. It seems likely that the fireplace would have been central to the room, rather than set against the rear wall and investigation has also cast doubt on the idea that this wall may have been some form of corridor plan.
20. It is perhaps appealing to see the fireplace made central to a larger space, although this is being done at the expense of some 19th and 20th century fabric. I have some reservations about that, but given the way the ground floor of the hall has changed since the 16th century and the uncertainty about its early post medieval form I would not on balance object to the proposed layout and alterations to the ground floor.
21. The proposed extension is more contentious. The building is characterised by a linear (east-west) form that is the result of both its early origins and major late changes. This has given the western crosswing a particular prominence. The building ends in a lean-to extension to the 17th century kitchen range that is itself subservient to the aisled hall. This arrangement also reflects the relative status of the historic phasing of the building. The rear elevation has a cumulative, additive quality similar to the eastern end, but different from the crosswing and aisled hall as seen in the front elevation. This again illustrates the development of the building and its multi-phase history.
22. The proposed extension requires works of demolition that will remove evidence of part of the Old Rectory's development. Moreover, it affects the way the relative status of parts of the eastern end of the building can be read by introducing a large unit of building that suggests a crosswing but does not relate to the hall in the correct manner. It implies an earlier form of planning is being re-established, but does not actually achieve this and so results in a confusing mixture that diminishes the historic building's ability to tell its story from the external relationship of its elements. It also unbalances the rear elevation, where the addition of small building units makes the western crosswing hall arrangement less clear, but has resulted in a less formal character. A large element of building would be added to a part of the house marked by modest, accretive character and obscure the rear elevation. This impact on the

appearance of the building and elements of demolition will harm the significance of the Old Rectory as a whole.

23. PPS5: Planning for the Historic Environment asks local planning authorities to weigh the harm to the significance of listed buildings resulting from proposed alterations against any public benefit also resulting from them. In this instance the benefit should be considered as akin to that suggested by PPS5 section 9.4 (i): that the works help secure the optimum viable use of the building in the interests of its long-term conservation. I am not convinced that the provision of a large extension is essential to ensure a long-term future use for this property and so conserve it. It is more the case that the present owner sees this extension as highly desirable, but that does not amount to the kind of justification suggested by PPS5 9.2 or 9.4.
24. The significance of the Old Rectory lies not just in its architectural quality but in the historical evidence of the development of English houses over several centuries. While the internal alterations and ancillary accommodation are acceptable, the proposed extension will affect an ability to determine the historical relationship between the different phases of the house in which much of its architectural and historic significance is found. No compelling justification for this harm has been made in terms of PPS5 and I would therefore recommend consent is refused."
25. Further comments 29 September 2010. The amended drawings have been assessed but do not address the fundamental issue of creating a large addition to the building at right angles to its established pattern of development.

Representations

26. **Councillor T. Hawkins** – It is my view that the applicants seem to have produced a plan that has taken on board the suggestions that were made and produced an improved plan for the building. The applicant has shown willingness in maintaining the integrity and fabric of the building whilst bringing it back into use as a single family house in the current times, with the needs of a modern family in mind. Some changes are required and necessary in order to prevent historic buildings like this falling into disuse and disrepair and I suppose it is the scale of those changes that may be an issue. It is best that the owners are given the opportunity to put their case to the committee and to know for sure what will be acceptable to SCDC.

Planning Comments – Key Issues

27. The key issues to be judged in the determination of the application are the impact of the development on the Grade II* Listed Old Rectory, the impact on the Conservation Area, the impact on the adjacent Grade I Listed Church and the impact on protected or priority species. No objection is raised to the proposed free standing garage and therefore the report focuses solely on the works to the house.

Impact on the Grade II* Listed Old Rectory

28. I have had regard to the comments of the listed building officer and English Heritage and find that there is no objection in principle to the alterations of the existing internal layout of the Listed Building at both ground floor and first floor. However, the listed building officer and English Heritage have raised a number of concerns in relation to the proposed side extension. In summary, the fundamental concerns with the extension appear to be:
 - (i) The loss of the C19 addition and the loss of evidence of part of the Old Rectory's development.

- (ii) The form of the extension and its siting would affect the way the relative status of parts of the eastern end of the building can be read and would result in a confusing mixture of elements, which would be detrimental to the way the building is viewed to have evolved.
 - (iii) The large element of proposed building would fail to follow the more modest, accretive character of the eastern end of the building and would unbalance the rear elevation.
 - (iv) The lack of compelling justification as to why the extension is essential to ensure the long-term future use for the property and so conserve it.
29. The concerns raised above are considered to highlight a significant objection to the proposed extension, particularly given the status of the building and the irreversible harm that would be caused to its character and historical interest. Consequently, the development is recommended for refused for the reasons outlined below in paragraphs 34-35.

Impact on the Conservation Area and the adjacent Grade I Listed Church

30. The listed building makes a strong visual statement within the Conservation Area. Due to its inappropriate scale, form, bulk and design the proposed extension would neither preserve nor enhance the character and appearance of the Conservation Area. Consequently, the proposal is considered to be contrary to Policy CH/5 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007 (DPD).
31. The Old Rectory is adjacent to the Grade I Listed Church and there is high potential that the proposed extension will be visible from the churchyard. The church and Old Rectory have a strong visual and historic relationship and the inappropriate scale, form, massing and appearance of the extension is considered to adversely affect the setting of the church, contrary to DPD Policy CH/4.

Impact on Protected or Priority Species

32. The comments of the Council's ecology officer in paragraphs 12-15 are noted and the application is recommended for refusal on grounds of insufficient ecological information.

Conclusion

33. There is no objection in principle to the alterations of the existing internal layout of the Listed Building at both ground floor and first floor. However, the comments of both the listed building officer and English Heritage present strong planning reasons why the position, scale, bulk, form and appearance and of the development would harm the Grade II* Listed Building. Furthermore, there is considered to be inadequate ecological information to fully assess the implications of the development upon a protected species (bats).

Recommendation

34. Refuse both the planning and listed building applications, for the following reasons:
- 1. The Old Rectory is a Grade II* Listed Building located to the east of a Grade I Listed Church within Kingston Conservation Area. The proposed side extension would harm the special character and appearance of this 12-13th century and later timber framed, brick and clunch building by virtue of its position, scale, bulk,

form and appearance and would visually and physically dominate the rear, front and side elevations of the property, resulting in significant change to the appearance of this grade II* listed building. The form of the extension which is at right angles to the existing building seeks to replicate a former service crosswing, is contrary to the simple linear form that reflects its development as an aisled hall onwards and would confuse the historic plan form of the building to its detriment. In addition, the proposal would result in the loss of a 19th century extension, which is considered to be of merit and part of the historic development of the building. The application presents insufficient justification for the aforementioned harm that would be caused to the significance of the historic asset by the proposed extension and consequently the proposal is found to be contrary to Policy CH/3 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007 and policies HE7 and HE9 of Planning Policy Statement 5: Planning for the Historic Environment (including HE7.2 and HE9.1) and PPS 5 Historic Environment Planning Policy Practice Guide (including paragraphs 86, 111, 178 and 182).

2. The proposed alterations to the windows and doors would result in a loss of historic fabric and would harm the external appearance of this Listed Building by virtue of their design, which is inappropriate for a building of this status and date. The proposal is therefore contrary to Policy CH/3 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007 and paragraphs 179 and 185 of PPS 5 Historic Environment Planning Policy Practice Guide.
 3. By virtue of its inappropriate scale, form, massing and detailing the proposed extension would harm the setting of the adjacent Grade I Listed Church, which has a historic and visual relationship with the Old Rectory. The proposal is therefore contrary to Policy CH/4 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007 and HE10 of Planning Policy Statement 5: Planning for the Historic Environment
 4. The listed building makes a strong visual statement within the Conservation Area. Due to its inappropriate scale, form, bulk and design the proposed extension will neither preserve nor enhance the character and appearance of the Conservation Area. The proposal is therefore contrary to Policy CH/5 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007.
 5. The application is presented with inadequate ecological information to fully assess the implications of the development upon a protected species (bats). Consequently, the development is found to be contrary to Policy NE/6 Part 3, where applicants will be expected to provide an adequate level of survey information to establish the extent of the potential impact of development on protected or priority species together with possible alternatives to the development, mitigation scheme and/or compensation measures.
35. The listed building application is also recommended to be refused on the following grounds:
6. The proposed removal of 19th century partitions would result in a significant loss of historic fabric and alter the plan form of the building. The partitions contribute to the special interest of the building and reflect its historic development. The proposal is therefore contrary to paragraphs 179 and 182 of PPS 5 Historic Environment Planning Policy Practice Guide.

Background Papers: the following background papers were used in the preparation of this report:

- Circular 11/95 – Use of Conditions in Planning Permissions
- Planning Policy Statement 5 (PPS5): Planning for the Historic Environment
- Planning Policy Statement 5: Planning for the Historic Environment: Historic Environment Planning Practice Guide
- South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted July 2007
- Planning Applications: SC/0459/73/F, S/2020/93/LB, S/0848/10/F and S/0849/10/LB

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