

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

11 May 2011

**AUTHOR/S:** Executive Director (Operational Services)/  
Corporate Manager (Planning and New Communities)

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### **S/0816/10/F & S/0817/10/LB – KINGSTON**

**Rear extension and alterations to create new kitchen and bathroom and the removal of partition walls to the dining room and formation of new corridor to first floor and creation of new first floor bathroom and ensuite facilities at The Old Rectory, Rectory Lane for Mr S Gardner**

**Recommendation: Delegated approval/refusal, subject to the submission and approval of a bat survey**

**Date for Determination: 15<sup>th</sup> July 2010**

#### **Notes:**

**This Application has been deferred by Planning Committee in November 2010 to give officers and the applicant more time to consider the response from English Heritage.**

#### **Conservation Area and Listed Building**

##### **Site and Proposal**

1. The Old Rectory is a Grade II\* Listed Building and falls within the village framework and Conservation Area of Kingston. The Old Rectory has developed in several principle phases from the 12<sup>th</sup> to 17<sup>th</sup> 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 a two storey rear gable extension set under the ridge height of the existing building and extending at a depth of 7.7m at from the existing ground floor corridor. The proposal also involves the removal of partition walls to the dining room, formation of new corridor to first floor and creation of new first floor bathroom and ensuite facilities.

##### **Amendments**

4. For clarity the application has been subject to three sets of amended drawings. The first amendments (30<sup>th</sup> July 2010) submitted a revised design that lowered the height of the extension, redesigned the side and rear elevations and revised the fenestration. The second amendments (26<sup>th</sup> August 2010) 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.

5. The third amendments, submitted on 28<sup>th</sup> February 2011, substantially altered the original design and re-sited the extension from the side of the building to the rear. The extension incorporates a two storey gable set under the ridge height of the existing building extending at a depth of 7.7m at from the existing ground floor corridor. In addition, the proposed replacement garage has now been omitted from this application and approved under planning application **S/0084/11**.

### **Planning History**

6. 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**).
7. 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**

#### **8. 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***

#### **9. 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).

#### **10. South Cambridgeshire LDF Supplementary Planning Documents (SPD):**

District Design Guide SPD – adopted March 2010  
Development Affecting Conservation Areas SPD - Adopted January 2009  
Listed Buildings SPD – adopted July 2009  
Biodiversity SPD – adopted July 2009

## Consultation

11. **Kingston Parish Council** (11<sup>th</sup> March 2011) – Recommend approval.
12. **Tree Officer** – No Objection.
13. **Ecology Officer** – Recommends 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.
14. 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.
15. 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).
16. 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.
17. **Listed Building Officer** – Recommends approval. The third amended design has been subject to extensive discussion with English Heritage and is considered acceptable in terms of scale, form, massing and design. The extension will read as a modern addition that is subservient to the rear elevation and does not compete with the existing crosswing and historic extensions. The original plan form of the building will be retained and the loss of historic fabric will not be significant. Materials will match the existing building and the style of fenestration is simple and will not detract from the character of the rear elevation. Adding a chimney for the Aga flue visually breaks up the bulk of the extension and as chimneys are a feature of the building, does not look out of place.
18. **English Heritage** – Recommends approval. The third amended design shows a significant change to the previous proposal because the "cross-wing" form is no longer seen in the front elevation. I was previously concerned about this aspect

because of the way it affected a reading of the historical development of the building. The proposed extension is still quite a significant addition to the rear elevation. It is relatively modest when seen on the rear elevation but does project some distance from the main building. This undermines the way in which the linear form - derived from and perpetuating the presence of the aisled hall - can be determined. I retain some reservations about this and feel there is a degree of harm to the significance of the building. However, given the other improvements to the design I would not on balance object to the application.

### **Representations**

19. None

### **Planning Comments – Key Issues**

20. 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.

### **Impact on the Grade II\* Listed Old Rectory**

21. The comments of the listed building officer and English Heritage are noted above and in summary these conclude that the revised extension is considered to be acceptable in terms of scale, form, massing and design. Evidence suggests that there was a former opening in the rear elevation adjacent to the pantry that was probably blocked in the early 20<sup>th</sup> century and therefore the loss of historic fabric for the opening between the main range and the extension would be minimal. The first floor opening would result in the loss of some 19<sup>th</sup> century fabric but is considered necessary in this design.
22. Opening up in the area of the proposed French doors to the rear suggests that this area of brickwork was rebuilt in the 20<sup>th</sup> century and therefore the loss of historic fabric will not be significant. However, the existing door and window are of historic interest and the window should be reused in the pantry and the door in the boot room and agreed by condition. This would ensure the retention of historic joinery and in the case of the boot room would result in a more appropriate style.
22. Two new windows are proposed on the front elevation to replace modern windows and in principle there is no objection to the style subject to further details. Internally the plan form and layout would remain largely unaltered and there is no objection to the alterations. There would be some impact on the character of the interior and some loss of historic fabric but this would not be significant and is considered acceptable in order that the building meets the needs of a modern family. The proposal is therefore considered to accord with Policy CH/3 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007 (DPD).

### **Impact on the Conservation Area and the adjacent Grade I Listed Church.**

23. The listed building makes a strong visual statement within the Conservation Area. Due to the revised scale, form, bulk and design the proposed extension is considered to preserve the character and appearance of the Conservation Area and respect the setting of the adjacent listed church. Consequently, the proposal is considered to accord with Policies CH/4 and CH/5 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007 (DPD).

## **Impact on Protected or Priority Species**

24. The comments of the Council's ecology officer in paragraphs 13-16 are noted and the applicant is currently undertaking a bat survey. Both applications are recommended for delegated approval/refusal subject to the prior submission of the results of the survey to the satisfaction of the Council's Ecology Officer. In the event that the survey is considered unacceptable, officers are of the opinion that there are no extenuating circumstances why the applications need to be approved in the interests of the listed building.

## **Conclusion**

- 25.. The revised proposal has been subject to extensive discussion with English Heritage and is considered to be acceptable in terms of scale, form, massing and design. The extension will read as a modern addition that is subservient to the rear elevation and does not compete with the existing crosswing and historic extensions. Conditions are recommended below to ensure details appropriate to the listed building and both applications are recommended to be delegated for approval subject to the undertaking and submission of a bat survey to the satisfaction of the Council's ecology officer.

## **Recommendation**

26. Delegated approval/refusal of both applications, subject to the submission of a bat survey to the satisfaction of the Council's ecology officer and subject to the following conditions:-

### **S/0816/10/F**

1. **The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.**  
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
2. **The development hereby permitted shall be carried out in accordance with the following approved plans: 470/A3/350B, 470/A3/351B, 470/A3/352B, 470/A3/353A, 470/A3/360B, 470/A3/361B, 470/A3/370B, 470/A3/390A, 470/A3/391A and 470/A3/392A (stamped 28<sup>th</sup> February 2011).**  
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
3. **The development shall be carried out in accordance with the additional conditions attached to the concurrent listed building consent approved under reference S/0817/10/LB**  
(Reason: - For the avoidance of doubt)

### **S/0817/10/LB**

1. **The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.**  
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)

**2. No development shall commence until a scheme comprising a full specification and schedule of works including any structural works required for new openings and working drawings has been submitted to and approved in writing by the Local Planning Authority. The scheme shall comply with the other conditions of this consent. Any amendment to the scheme, including works required by Building Regulations or from a structural survey, shall be approved beforehand in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.**  
(Reason - To ensure the proper control of works and compliance with the approved plans and the conditions of this consent and details appropriate to the listed building in accordance with Policy CH/3 of the adopted Local Development Framework 2007.)

**3. No development shall commence until arrangements have been made to enable the Local Planning Authority (normally the Council's Conservation Officer) to meet the owner or agent and the contractor on site to discuss the conditions of this Consent and the manner of works.**  
(Reason - For the avoidance of doubt and to ensure the proper control of works.)

**4. No development shall commence until precise details of the proposed windows and doors to a scale of at least 1:20 have been submitted to and approved in writing by the Local Planning Authority. The details shall show sections, opening arrangements and glazing bar patterns. All windows shall be of timber construction and painted and the windows in the main range shall be single glazed. The development shall be carried out in accordance with the approved details.**  
(Reason – To ensure joinery appropriate to this listed building in accordance with Policy CH/3 of the adopted Local Development Framework 2007.)

**5. No development shall commence until:**

- (i) A sample panel of brickwork has been constructed on site to enable the Local Planning Authority to agree the type of brick, the bond, the joint detail and the mortar mix.**
- (ii) A sample of the proposed roof tiles has been provided on site**

**The development shall be constructed in accordance with the approved details.**  
(Reason - To ensure detailing and materials appropriate to this listed building in accordance with Policy CH/3 of the adopted Local Development Framework 2007.)

**6. No development shall commence until precise details of the following items have been submitted to and approved in writing by the Local Planning Authority:**

- (i) The position and details of soil vent pipes, extract vents and flues**
- (ii) The size and manufacturer of rooflights to be inserted with flush detail**

**The development shall be constructed in accordance with the approved details.**  
(Reason - To ensure detailing and materials appropriate to this listed building in accordance with Policy CH/3 of the adopted Local Development Framework 2007.)

**7. All mortars, plasters and render shall be lime rich to specifications submitted to and agreed in writing by the Local Planning Authority.**

(Reason - To ensure the use of the appropriate mix of traditional lime plasters and mortars in accordance with Policy CH/3 of the adopted Local Development Framework 2007.)

**8. Existing internal plaster on walls and ceilings shall be retained and protected during works and no internal plaster shall be removed without the written consent of the Local Planning Authority.**

(Reason - To protect the historic fabric of this listed building in accordance with Policy CH/3 of the adopted Local Development Framework 2007.)

**9. The approved roof tiles shall be laid without the use of tile and a half at the verges.**

(Reason - To protect the appearance of the listed building and to ensure traditional detailing in accordance with Policy CH/3 of the adopted Local Development Framework 2007.)

**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
- South Cambridgeshire LDF Supplementary Planning Documents (SPD): District Design Guide SPD, Development Affecting Conservation Areas SPD, Listed Buildings SPD and Biodiversity SPD
- Planning Applications: SC/0459/73/F, S/2020/93/LB, S/0848/10/F and S/0849/10/LB, S/0084/11.

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