

DELEGATED DECISION REPORT

APPLICATION NUMBER

191863

3 Glan Arrow Cottages, Bridge Street, Pembridge, Leominster, HR6 9EX

CASE OFFICER: Miss Amber Morris
DATE OF SITE VISIT: 29/08/2019

Relevant Development Plan Policies:

Herefordshire Local Plan – Core Strategy (CS) Policies:
SS1 Presumption in favour of sustainable development
SS6 Environmental quality and local distinctiveness
LD1 Landscape and townscape
LD4 Historic environment and heritage assets
SD1 Sustainable design and energy efficiency

Pembridge Neighbourhood Development Plan (NDP):
NDP was made 22nd March 2019
PEM19 Protecting heritage assets

National Planning Policy Framework 2019 (NPPF):
Chapter 2 Achieving sustainable development
Chapter 12 Achieving well-designed places
Chapter 16 Conserving and enhancing the historic environment

Relevant Site History: None relevant

CONSULTATIONS

	Consulted	No Response	No objection	Qualified Comment	Object
Parish Council	X		X		
Buildings Conservation Officer	X		X		
Press/ Site Notice	X	X			
Ward Councillor	X		X		

PLANNING OFFICER'S APPRAISAL:

Site description and proposal:

3 Glan Arrow Cottages is a Grade II listed semi-detached dwelling located in the Pembridge Conservation area. The proposal is for the like-for like replacement of 8 existing window casements.

Representations:

Parish Council – Support the application

Buildings Conservation Officer (superseded) – Further information required

We would support the replacement of the C20 top hung c20 stormseal type window with the Everest flush casement proposed, however, whilst we appreciate the need to reduce energy costs, unfortunately it is felt that the replacement of other windows in the property with these windows would harm the architectural and historic significance and unfortunately not be in accordance with policy LD4 of the adopted Herefordshire Core Strategy.

There is a proposal to potentially include a rooflight in the application adjacent to the bread oven. This would be supported in principle.

Background to Recommendations:

The property is a C16 house which is later subdivided into cottages, of which this is the furthest north. Several C17 windows survive and there is a C19 extension to the rear (west).

- Kitchen. The window to the North is a quirky C19 casement window with an unusual latch. We would recommend secondary glazing as a solution here, however do appreciate that this is the later part of the property. The window to the South is modern and could be replaced (with permission) with a window to match the same pattern, double glazing would be possible provided that glazing bars weren't too thick.
- Utility room. The window here is C20 and a new window as proposed in the application is supported.
- Dining Area. The proposal for a rooflight or rooflights here would be supported. The key factor is appearance and the narrowness of the frame and not having it projecting above the roof too much, so as to maintain the traditional appearance of the property. A frameless or Conservation type rooflight would be supported.
- Rear Bedroom (to West) – these windows are contemporary with the extension, the opening lights may require repair or replacement. Secondary glazing would be supported.
- North Bedroom (front) – This window appears to be late C19 and quite crude, the opening light has been repaired previously. We would support the repair or replacement of the opening light. Secondary glazing could also be an option? Secondary glazing and repair would not require permission. I do appreciate that this window isn't as old or characterful as the others with leaded lights. Replacement with a new window to match the existing could be considered.
- South Bedroom (front) This window is rather lovely. The mullion shows the patina of several centuries and the handblown C17/early C18 glass, with its slight opacity and imperfections hints at the original nature of the house. The opening light is much more recent, and although maybe 100 years old, could be replaced without harming the importance of the window. There is the opportunity here (and on the landing) for using a well-designed secondary window planted on the existing as an option. This would require Listed Building Consent, whereas off the peg secondary glazing (which is easily reversible and not permanent) would not require any permission.

- Landing. As above, this window is quirky and relates to an early phase of the house, most likely being C17, but with modern glass. We would ask if this could be kept please with the options of secondary glazing?

Buildings Conservation Officer (superseded) – Further information required

The Proposals would remove almost all remaining historic windows from the property. Under s66 of the Planning(Listed Buildings and Conservation Areas) Act 1990, great weight is given in planning decisions to the preservation of historic buildings. The removal of the 2 most historic windows from the property cannot be justified and would be contrary to policy LD4 of the adopted Herefordshire Core Strategy and policies within the revised NPPF.

We would ask:

- That the proposals from Atrium are included as drawings on the planning file. Ideally we would ask for 1:20 elevations and 1:2 details.
- That a short heritage statement is prepared in accordance with s189 of the NPPF identifying the significance of the property and that of the windows to be replaced.
- We would ask that only repairs are carried out to the 2 historic windows identified.
- Those windows to the rear extension are of a lower historic value, however we would query whether the level of decay would justify replacement. Secondary glazing and repair would be more appropriate.

On the 9th of January the Joinery company were contacted, advising them that the replacement of the 2 most historic windows would be precluded. We were awaiting further information from them.

Buildings Conservation Officer (amended) – Approve with conditions

The proposals would not harm those aspects of the property which contribute to its architectural or historic significance and as such accord with policy LD4 of the Adopted Herefordshire Core Strategy and policies within the revised NPPF. This is subject to confirmation that a written description of the windows to be replaced rather than drawings is satisfactory. It is fundamental that detailed drawings are provided for the proposals as a condition, both to ensure quality of workmanship and materials for the protection of the LB and for the customer.

Conditions: CH8 Joinery Details. (those provided would not be acceptable and should not be an approved drawing)

Site Notice – No response

Ward Councillor – Updated via email on 18th May 2020. Cllr has no objection to the proposal and has not made a redirection request.

Pre-application discussion:

None

Constraints:

C1032
Grade II listed building
Conservation area
Surface water
SSSI impact zone

Appraisal:

Policy context and Principle of Development

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states as follows:
“If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”

In this instance the adopted development plan is the Herefordshire Local Plan – Core Strategy (CS) and the ‘made’ Pembridge Neighbourhood Development Plan (NDP). At this time the policies in the NDP can be afforded full weight as a planning consideration. The National Planning Policy Framework 2019 is also a significant material consideration.

Strategic policy SS1 of the CS sets out the presumption in favour of sustainable development, which is reflective of the positive presumption enshrined by the NPPF. Policy SS1 also confirms that proposals which accord with the policies of the Core Strategy (and, where relevant, other Development Plan Documents and Neighbourhood Development Plans) will be approved, unless material considerations indicate otherwise.

In considering the details of the scheme, it is acknowledged that the site and building forming the subject of the application are sensitive ones in heritage terms. The building is listed at Grade II and the site sits within the Pembridge Conservation Area. Accordingly, the duties placed upon the Local Planning Authority by Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to (inter alia) have special attention to the disability of preserving or enhancing the character or appearance of the listed building and conservation areas is of particular pertinence. In this regards policy LD4 of the Core Strategy is also of relevance, which requires amongst other things to ensure that new developments ‘protect, conserve, and where possible enhance heritage assets and their settings in a manner appropriate to their significance through appropriate management, uses and sympathetic design, in particular emphasising the original form and function where possible’. Further relevant design requirements are found at policy SD1, which requires that proposals take into account the local context and site characteristics. Moreover, new development should be designed to maintain local distinctiveness through incorporating local architectural detailing and materials and respecting scale, height, proportions and massing of surrounding development, while making a positive contribution to the character of the area. The principles set out in RA5 in relation to converted redundant or disused buildings are also applicable, whilst LD1 is of pertinence in terms of the impact of the proposal on the townscape and designated conservation area.

At a local level, policy PEM19 of the made NDP requires the significance of heritage assets and their settings within the Parish to be assessed and where appropriate conserved and enhanced.

In respect of heritage assets the advice set out at paragraph 193 of the Framework is relevant, insofar as it requires that great weight be given to the conservation of a designated heritage asset. The more important the asset, the greater the weight should be. Paragraph 194 goes on to advise that any harm to, or loss of, the significance of designated heritage assets should require clear and convincing justification. At paragraph 195, it states that where substantial harm is identified local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Paragraph 196 goes on to state that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

It is considered that the like-for-like replacement of the eight windows would not lead to any substantial harm to the character of the building. The advice received from the Council's Historic Buildings Officer confirms this. The test set out at 196 therefore applies.

The proposal would not have any demonstrable adverse impact upon the setting of the Pembridge Conservation Area or any other listed buildings in the immediate locale. No harm or conflict with LD4/LD1 is therefore found, and the duties imposed by Sections 66 and 72 of the Act are fulfilled.

Conclusion

The correct approach to decision taking in this case begins with the test set out at Paragraph 196 of the NPPF. This is in the sense that 'less than substantial' harm to a designated heritage asset (in the form of the listed building and conservation area) has been detected, with the advice received from the Council's Historic Building Officer confirming that this harm would be at the minor end of the this scale. This harm should therefore be weighed against the public benefits of the proposal.

The scheme here would have benefits in terms of securing improved security and environmental benefits for the heritage asset. This is a significant public benefit given the duty to protect listed buildings placed upon local authorities. No other unmitigated potential for harm has been identified, and in the application of the 196 test the benefits of the scheme are considered to significantly and demonstrably outweigh the very minor harm which has been identified.

The duties imposed upon the Authority by Sections 66 and 72 of the act are therefore discharged, and the scheme does not give rise to any conflict with relevant policies such as LD4, LD1 or SD1 of the Core Strategy or the advice set out in the NPPF. The application is accordingly recommended for approval subject to the conditions set out below.

The Local Member has been updated and is content for the application to be approved.

RECOMMENDATION:

PERMIT

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REFUSE

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CONDITION(S) & REASON(S) /:

(please note any variations to standard conditions)

1. C01
2. C07 (heritage statement March 2020 and drawing number 03/2020/06a)
3. CH8

Informatives

1. IP2

Signed: 

Dated: 18/05/2020

TEAM LEADER'S COMMENTS:

DECISION:

PERMIT

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REFUSE

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Signed: 

..... Dated: 18th May 2020.....