

PLANNING COMMITTEE NORTH – 13 August 2019

APPLICATION NO: DC/19/2005/LBC

EXPIRY DATE: 18 July 2019

APPLICATION TYPE: Listed Building Consent

APPLICANT: Mr Robert Taylor

LOCATION: The Old Chapel, 5 Mill Lane, Southwold, Suffolk, IP18 6HW

PARISH: Southwold

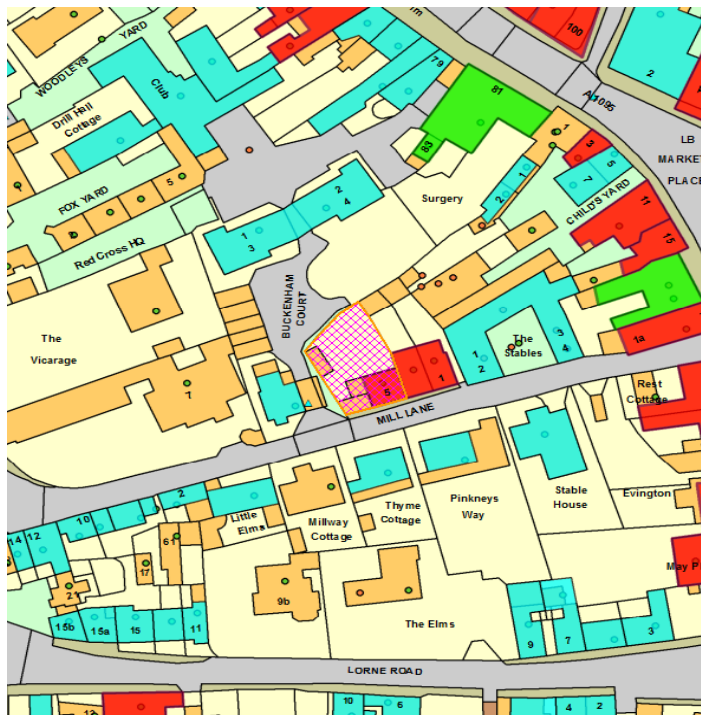
PROPOSAL: Listed Building Consent - Material amendments to approval DC/17/4306/FUL. a) Increasing length of new build extension by 900mm; b) Increasing privacy by raising conservatory wall to 2m; c) alterations to windows of new build extension and removal of external door

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MAP



Scale 1:750
Date 31/07/2019



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1 EXECUTIVE SUMMARY

- 1.1 This application is a listed building application that seeks to vary an approval given in 2017 for the removal of a 1980 vintage side extension to a listed non-conformist chapel near the centre of Southwold with a linking mainly glazed building and a substantial rebuild and enlargement of an outbuilding at the rear to replace space lost and provide additional space for living accommodation. The Town Council have objected to this proposal and those preceding this and referral panel suggested this should be brought to committee.

2 SITE DESCRIPTION

- 2.1 The non-conformist place of worship is attached to a listed residence to the east, no. 1 Mill Lane and is now in use as a single dwelling. It is a Grade II listed building listed in 1971, situated in the Southwold Conservation Area. To the west of the original chapel there is a 1980 built extension set forward on the plot to the back of the footway and incorporating a garage.

3 PROPOSAL

- 3.1 The proposal is to demolish a 1980's two-storey extension added to the side of the building and restore the chapel as close as possible to its original form from the frontage. The accommodation lost by the removal of the extension is to be accommodated in a two-storey structure that replaces the garage and on the site of an earlier two-storey building, and which is to be linked to the former chapel by a glazed conservatory. Two parking spaces will be provided on the site of the demolished extension. Beyond this behind a brick wall a courtyard space is created from which access into the glazed link and two storey building is provided.

4 CONSULTATIONS/COMMENTS

- 4.1 Southwold Town Council *“Recommendation*
- *Request a) Increasing length of new build extension by 900mm. Any increase in the depth of the “stand alone” building, even if there is a corresponding decrease in the depth of the glass structure, will increase the mass and dominance of an architecturally insignificant building, and the impact on neighbour amenity. REFUSE*
 - *Request b) Increasing privacy by raising conservatory wall. Extending the brick wall may have the virtue of partially concealing the glass structure. DESIGN REQUIREMENTS - Sensitive detailing of the brick wall to match existing historic brick walls in this part of the Conservation Area will help to mitigate the harm caused by the glass structure and should be made a condition of consent.*
 - *Request C) Alterations to windows of new build extension and removal of external door. DESIGN REQUIREMENTS Provided the changes in fenestration and the door are not visible from the street or adjoining properties, the Town Council has no objection.*

Description of character of dwelling and area

The Old Chapel is a Grade II listed building in the Southwold Conservation Area. A previous scheme for an extension to the Old Chapel by this agent was refused and the refusal was upheld on appeal. The Inspector's decision explains the building's character and the importance of the existing space around the building to its significance.

The significance of the building derives from its historical record of the evolution of religious progression and non-conformist traditions. Its simple elevations with symmetrical detailing and fenestration [are] arranged to reflect the internal use of spaces. The existing alterations and extensions harm the original form and shape of the building and its original setting. Whilst constructed attached to the adjoining cottages, there was space around the building to the side and rear, along with some surrounding buildings, albeit unattached. These factors all contribute to the significance of the listed building.

History of Application

The Inspector went out to express concerns that the refusal scheme, which involved removing the 1982 extension, would "add significant additional footprint and bulk and mass to the built form on the site... The extension would appear excessively large for the host building and the combination of elements would add competition and confusion to the simple form of the listed building. Rather than appear subservient, it would compete and detract from it. The open front car port is a particularly modern and unrepresentative feature."

A new scheme was submitted, which was consented (despite the objection of the Town Council, because it had all of the defects of the refused scheme). The Town Council was especially concerned about the glass conservatory/stairwell and the size and lack of architectural merit of the stand-alone building, which is linked to the Old Chapel by the glass structure.

Issues

The poor quality of the drawings makes it difficult to understand the changes and their impact, when built. With that caveat,

- *Request a) Increasing length of new build extension by 900mm. Any increase in the depth of the "stand alone" building, even if there is a corresponding decrease in the depth of the glass structure, will increase the mass and dominance of an architecturally insignificant building, and the impact on neighbour amenity. The request increases the lack of subservience and overdevelopment of the original build. This request could have an impact on the neighbour at Gatehouse. REFUSE*
- *Request b) Increasing privacy by raising conservatory wall. Extending the brick wall may have the virtue of partially concealing the glass structure. DESIGN REQUIREMENTS - Sensitive detailing of the brick wall to match existing historic brick walls in this part of the Conservation Area will help to mitigate the harm caused by the glass structure and should be made a condition of consent.*

We would want the Conservation Officer to consider the wall design and the materials used. We would have expected to have been provided with these details as part of this application – as it was condition 3 of the application DC/17/4306/FUL. The significance of the design of this wall cannot be underestimated.

- *Request C) Alterations to windows of new build extension and removal of external door.
DESIGN REQUIREMENTS Provided the changes in fenestration and the door are not visible from the street or adjoining properties, the Town Council has no objection.
The effect of the alteration makes a symmetrical aspect now not symmetrical - but it would appear that its visual effect will be limited due to the wall mentioned above,*

*Policies to which the application is contrary to;
Guidance for Historic Buildings and Conservation Areas SDP – para 4.11 – extensions.
NPPF – section 12 – Designing Well-designed places
NPPF – Section 16 – Conserving and Enhancing the historic environment
Waveney New Local Plan – Policy WLP8.29 – Design
Waveney New Local Plan – Policy WLP 8.37 – Historic Environment””.*

4.2 **Statutory Consultees:**

4.3 Non Statutory Consultees

4.4 Third Party Representations – Six letters of objection have been received their comments are summarised below:

1. Impact on parking
2. Impact on light pollution
3. The scale of the proposal
4. The design of the proposal
5. Lack of detail
6. Lack of notice

5 **PUBLICITY:**

The application has been the subject of the following press advertisement:

| Category | Published | Expiry | Publication |
|--|------------------|---------------|-------------------------------|
| Conservation Area, Listed Building, | 7 June 2019 | 28 June 2019 | Beccles and Bungay Journal |
| Conservation Area, Listed Building, | 7 June 2019 | 28 June 2019 | Lowestoft Journal |

6 **SITE NOTICES**

The following site notices have been displayed:

| | |
|---------------------|---|
| General Site Notice | Reason for site notice: Conservation Area, Listed Building, Date posted 30 May 2019, Expiry date 20 June 2019 |
|---------------------|---|

6.1 Related application

| Reference No | Proposal | Decision | Date |
|----------------|---|-----------------------|-----------------|
| DC/19/2005/LBC | Listed Building Consent - Material amendments to approval DC/17/4306/FUL. a) Increasing length of new build extension by 900mm; b) Increasing privacy by raising conservatory wall to 2m; c) alterations to windows of new build extension and removal of external door | | |
| DC/17/4306/FUL | Construction of a two storey extension at rear and conservatory | Application Permitted | 4 December 2017 |
| DC/17/4307/LBC | Listed Building Consent - Construction of a two storey extension at rear and conservatory | Application Permitted | 4 December 2017 |

7 PLANNING POLICY

7.1 Section 38(6) of the Planning and Compensation Act 1990

7.2 The National Planning Policy Framework (2019) and National Planning Policy Guidance (NPPG) forms a material consideration in the determination of this application.

7.3 Planning (Listed Buildings and Conservation Areas) Act 1990, Part II

7.4 East Suffolk (Waveney) Local Plan 2019

- WLP8.29 – Design
- Policy WLP8.37 – Historic Environment
- WLP8.39– Conservation Areas
- Supplementary Design Guidance “Built Heritage and Design Supplementary Planning Document” - April 2012

8 PLANNING CONSIDERATIONS

8.1 This application was reported to referral panel on 16th July 2019, and members of the panel referred it to committee.

8.2 Built as a place of worship the Old Chapel is now in use as a single dwelling. It is a Grade II listed building situated in the Southwold Conservation Area.

8.3 The proposal is to amend the previous decision DC/17/4306/FUL which was to demolish a 1980's two-storey extension added to the side of the building and restore the chapel as close as possible to its original form, and to reveal that form by removing parts of the later additions.

8.4 The accommodation lost by the removal of the extension is proposed to be accommodated in a two-storey structure that replaces the garage and on the site of

an earlier two-storey building, and which is to be linked to the former chapel by a glazed conservatory. Two parking spaces will be provided on the site of the demolished extension. Beyond this behind a brick wall a courtyard space is created from which access into the glazed link and two storey building is provided.

- 8.5 The submission of DC/17/4307/LBC and DC/17/4306/FUL followed pre-application planning advice and the current application was further reviewed by the planning team and advice given that increase in the length of the addition and the corresponding reduction in the depth of the linking “conservatory” now proposed would have only a minor effect on the appearance of the design and its quality and that this will not be adverse, providing this did not increase the ridge height. It is considered that as the footprint does not increase in the direction of the span width of any roof that there is no reason why the ridge height would vary at all. The proposal to raise the wall at the front of the conservatory to two metres was considered beneficial, obscuring the staircase from public view. The proposed adjustments to the fenestration of the rear building’s front elevation and the removal of a door were considered minor in impact and unobjectionable.
- 8.6 It is considered that the proposed scheme does not alter the merits of the approved scheme, will preserve the special interest of the listed building and its positive contribution to the character and appearance of the conservation area, and accords therefore with Development Plan policies WLP8.29, WLP8.37 and WLP8.39 which seek to protect and enhance the historic environment.

Other issues

- 8.7 Previous refused applications in 2016 (reference DC/16/3272/FUL and DC/16/3273/LBC) were appealed against and it is considered that the Inspector’s comments do offer some guidance as to what might be more satisfactory. In that particular application the 1980s vintage side extension was retained and so offered little of the benefit now realised by removal of that element.
- 8.8 At paragraph 10 of the appeal decisions APP/T3535/W/16/3165419 and APP/T3535/Y/16/3165423 the Inspector commented:

The extension would add significant additional foot print and bulk and mass to the built form on the site. The first floor element with the ‘gasket’ and gable ends would appear as an isolated element and the ‘gasket’ itself, with the pyramidal roof light would add a further complicating element to the overall composition. The extension would appear excessively large for the host building and the combination of elements would add competition and confusion to the simple form of the listed building. Rather than appear subservient it would compete and detract from it.

- 8.9 The first sentence reflects the 80 square metre footprint increase proposed in the 2016 proposal, whereas the current proposal and its predecessor approved DC/17/4307/LBC only extends the footprint by around 50 square metres by virtue of the removal of the 1980s element.
- The word gasket implies a filling piece between two mating surfaces, presumably a reference to the reworked side extension built around 1982 and other parts to be attached to this. The approved scheme and this latest proposal while connecting

the original chapel to the rear element do so in a much looser manner via a more lightweight and visually receding joining element.

8.10 At Paragraph 11 the Inspector finds

“The open front car port is a particularly modern and unrepresentative feature. It would sit uncomfortably on the front elevation and expose views through expressing the remainder of the bulk and mass of the extension beyond”

8.11 This proposal removes the car port. The space created to the side of the chapel allows its form to be appreciated and while the two storey part will be evident behind the harm associated with this is more than offset by the revealing of the flank of the chapel so that its original form can be more clearly read.

9 CONCLUSION

9.1 Having approved the 2017 applications there would need to be substantive new issues arising with this revised version for a different view to be arrived at. Officers are of the opinion that in this instance there are no substantive issues identified in terms of policy, precedent or the site to warrant an alternative recommendation be reached. Accordingly the application is recommended for approval with the imposition of appropriate conditions.

10 RECOMMENDATION

That planning permission be APPROVED with the following conditions:

1. The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.
Reason: This condition is imposed in accordance with Section 18 of the Act (as amended).
2. The development hereby permitted shall not be carried out other than in complete accordance with Drawing Nos 140905A; 140914C; 00902B; received on 17/05/19 and 140909 received on 10/10/17.
Reason: For the avoidance of doubt as to what has been considered and approved.
3. No development shall commence until details/detailed drawings of the following matters shall be submitted to the local planning authority for approval in writing:
[i] full specification of external materials, including hard surfacing within the curtilage;
[ii] restored balconies;
[iii] restored arched windows;
[iv] new opening to the chapel to the first floor flank; other works to remediate and repair historic brick where uncovered by the works to remove the 1980 vintage extension.
[v] boundary walls and gates.

The approved details shall be implemented in their entirety before the extensions are first occupied.

Reason: To ensure the works preserve and enhance the special character of this listed building: the application did not include the necessary details for consideration.

BACKGROUND INFORMATION: See application ref: DC/19/2004/FUL and 2005LBC at www.eastsuffolk.gov.uk/public-access
Chris Green, Senior Planning Officer, Riverside,
Lowestoft 01502 523022

APPENDIX 1

Appeal Statement referred to in appeal on DC/16/3272/FUL and DC/16/3273/LBC (APP/T3535/W/16/3165419 and APP/T3535/Y/16/3165423)

Appeal Decisions

Site visit made on 30 May 2017

by Kenneth Stone BSc Hons DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 22nd June 2017

Appeal A: APP/T3535/W/16/3165419

5 Mill Lane, Southwold IP18 6HW

The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.

The appeal is made by Mr Robert Taylor against the decision of Waveney District Council. The application Ref DC/16/3272/FUL, dated 3 August 2016, was refused by notice dated 2 December 2016.

The development proposed is the construction of a single and two storey side addition replacing existing side addition and internal alterations.

Appeal B: APP/T3535/Y/16/3165423

5 Mill Lane, Southwold IP18 6HW

The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.

The appeal is made by Mr Robert Taylor against the decision of Waveney District Council. The application Ref DC/16/3272/LBC, dated 3 August 2016, was refused by notice dated 2 December 2016.

The works proposed are the construction of a single and two storey side addition replacing existing side addition and internal alterations.

Decisions

Appeal A

1. The appeal is dismissed.

Appeal B

2. The appeal is dismissed.

Procedural Matter

3. The appellant refers to various submission plans provided to the Council and suggests that the appellant would have a preference for the plan originally submitted to the Council but which was subsequently amended prior to the determination of the application. The Council considered the proposals on the basis of 140908A - proposed plan and 140909 - window joinery details; and determined the proposals on this basis. I have determined these appeals on the basis of these plans.

Main Issues

4. The main issues are:

in relation both appeals, A and B, whether the proposals would preserve the Grade II listed building known as 5 Mill Lane, or any features of special architectural interest that it possesses or its setting; and

in relation to appeal A only, whether the proposed development would preserve the character and appearance of the Southwold Conservation Area.

Reasons

Listed Building

5. 5 Mill Lane was constructed as a Methodist chapel, around 1799; it was subsequently converted into a house in the mid-19th century and has been significantly extended and altered, most notably with a large side extension in the 1980's.

6. The list description describes the building as a two storey property of red brick and pantile hipped roof. Its front and rear elevations retain much of the original design with double leaf doors flanked by casement windows on each side with keyed semi-circular arched heads at the front. The rear elevation accommodating two elongated long windows with semi-circular heads with the cill set above an implied plinth of brickwork laid in English bond. Little remains of the original internal finishes of fixtures although the gallery level is retained as an important feature, albeit with enclosed rooms.

7. The significance of the building derives from its historical record of the evolution of religious progression and the non-conformist traditions. Its simple elevations with symmetrical detailing and fenestration arranged to reflect the internal use of spaces. The existing alterations and extensions harm the original form and shape of the building and its original setting. Whilst constructed attached to the adjoining cottages, there was space around the building to the side and rear, along with some surrounding buildings, albeit unattached.

8. These factors all contribute to the significance of the listed building.

9. The proposals would remove the existing harmful extension which would be beneficial. The proposed replacement extension would provide a large single storey wing the depth of the plot and providing an open fronted car port to the street. A first floor would be provided that would be within the depth of the existing building but designed with a 'gasket' section to separate it from the original building. The first floor extension would be provided with a gable ended roof with the ridge running away from the road and gables fronting the road and rear.

10. The extension would add significant additional foot print and bulk and mass to the built form on the site. The first floor element with the 'gasket' and gable ends would appear as an isolated element and the 'gasket' itself, with the pyramidal roof light would add a further complicating element to the overall composition. The extension would appear excessively large for the host building and the combination of elements would add competition and confusion to the simple form of the listed building. Rather than appear subservient it would compete and detract from it.

11. The open front car port is a particularly modern and unrepresentative feature. It would sit uncomfortably on the front elevation and expose views through expressing the remainder of the bulk and mass of the extension beyond.

12. For the reasons given above I conclude that the proposed extension would harm the Grade II listed building known as 5 Mill Lane, including the features of special architectural interest that it possesses and its setting. As such the proposal would conflict with Policy CS17 of the Core Strategy Development Plan Document, 2009 and Policy DM30 of the Development Management Policies, 2011, which seek to protect heritage assets.

Conservation Area

13. The appeal site is located within the Southwold Conservation Area which covers an extensive area across most of the town. It derives its significance from the town's seaside location and historical development from medieval times, it retains some of the original street patterns. There are significant and important Victorian and Edwardian buildings also adding to the later phases of its development. Mill Lane includes a number of listed buildings from the 18th and 19th century and a number of buildings of merit. It has a narrow and intimate feel that adds to the experience of the existing listed building.

14. I have concluded that the proposed extension would harm the listed building and in so doing this would harm the conservation area. In particular the uncomfortable nature of the first floor addition, the open carport front elevation and the many roof forms that add to give the extension an ill-conceived and jumbled appearance. This would be particularly visible and discordant when viewed against the restrained and symmetrical appearance of the listed building. This would harm the appearance of the street scene and thereby the conservation area.

15. For the reasons given above I conclude that the proposed development would result in material harm to the appearance of the Southwold Conservation area, which would therefore not be preserved. Consequently the proposal would conflict with policies CS02, and CS17 of the Core Strategy Development Plan Document, 2009 and Policies DM02 and DM30 of the Development Management Policies, 2011 which seek high quality development and seek to protect heritage assets.

Other matters

16. The listed building and the Conservation Area are in themselves separate designated heritage assets, both of which are harmed by the proposed development. However, in the context of the Framework I agree that this harm is less than substantial. That is not, as the appellant suggests, to say it is minimal, as any harm to a heritage asset is to be given great weight and importance.

17. The appellant has not directed me to any specific public benefits and the benefits that the appellant would derive from improved living conditions are not a public benefit. Also the removal of a harmful extension is not a benefit in this case as it is to be replaced by a proposal which in itself leads to harm, and which in my view would be greater than that existing.

Overall conclusions

18. Paragraph 134 of the Framework requires that I weigh the less than substantial harm I have identified against the public benefits of the proposal, including securing its optimum viable use. The property would remain as a dwelling and there is no suggestion it would not be viable to do so. There are no other public benefits and therefore these would not

outweigh the less than substantial harm to the heritage assets, to which I have given great weight and importance.

19. For the reasons given above I conclude that both appeals should be dismissed.

Kenneth Stone
Inspector