

**R03**

**L/TH/20/1747**

**PROPOSAL:** Application for Listed Building Consent for the erection of a single storey flat roof rear extension

**LOCATION:** Garden Cottage Durlock, Minster, RAMSGATE Kent CT12 4HD

**WARD:** Thanet Villages

**AGENT:** Mr Scott Rigden

**APPLICANT:** Dr Harbidge, & Mr Moore

**RECOMMENDATION:** Refuse Permission

For the following reason:

1 The erection of the proposed single storey flat roof extension would significantly alter the historic layout, design and proportions of the building which together with the removal of the windows within the rear elevation would result in the further loss of historic and architectural fabric. The proposed works, whilst less than substantial, are considered to result in significant harm to the historic and architectural importance and understanding of the Grade II listed building, which is not outweighed by the public benefits of the development, contrary to paragraphs 193 and 196 of the National Planning Policy Framework and Thanet Local Plan policy HE02.

#### SITE, LOCATION AND DESCRIPTION

The application site is located on the corner of Church Street and Durlock in the village of Minster. The property abuts the boundary with Church Street. The property is a two storey brick built dwelling. To the north of the site is Minster Abbey and to the north east of the site is Durlock Lodge; both of the properties are listed. To the south of the site is Rivers Court, retirement flats. The site is also within the Minster Conservation Area.

#### RELEVANT PLANNING HISTORY

L/TH/20/1046 Application for Listed Building Consent for the conversion of attached outbuildings and carport into habitable space, extension of pitched roof and insertion of 2No.dormer windows to provide accommodation at first floor level, single storey extension to kitchen and entrance, new boundary masonry wall to eastern boundary, new vehicular access and erection of a two bay timber frame carport. Granted 27/10/2020

L/TH/99/0444 Erection of a single storey glazed link between kitchen and workshop; erection of new chimney to workshop roof 30/07/1999

#### PROPOSED DEVELOPMENT

Listed building consent is sought for the erection of a single storey flat roof rear extension to allow a larger kitchen.

The proposal would involve the loss of an existing bay window and rear sash window both serving the existing kitchen. The extension to the kitchen would project out by approximately 1.6m. The extension would extend the existing roof form at this point, which is a flat roof between the main dwelling and the rear offshoot of the dwelling.

## DEVELOPMENT PLAN POLICIES

### **Thanet Local Plan**

SP36 - Conservation and Enhancement of Thanet's Historic Environment  
HE03 - Heritage Assets

## NOTIFICATIONS

Letters were sent to adjoining occupiers, a site notice posted close to the site and the application publicised in a local newspaper.

No representations were received.

**Minster Parish Council:** No objection.

## CONSULTATIONS

**TDC Conservation Officer:** Thanet's Local Plan policy HE02 states within Section 7 'The character, scale and plan form of the original building are respected and the development is subordinate to it and does not dominate principal elevations.' As well as Section 8 which states 'Appropriate materials and detailing are proposed and the development would not result in the loss of features that contribute to the character or appearance of the conservation area. New development which would detract from the immediate or wider landscape setting of any part of a conservation area will not be permitted.'

Under the Listed Buildings and Conservation Areas Act 1990, Section 16 Paragraph 2, In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. As well as Section 66 Paragraph 1 which states when considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Previously pre application advice was sought on a separate but similar scheme, reference L/TH/20/1046, which initially incorporated the element now being proposed through this application. However, concerns were raised and it was removed from the scheme. This application looks to reinstate this previous element that was removed. The application now

proposes to install an increased extension to the footprint of the 'link' between the main building and what was previously considered outbuilding or workspaces, removing the bay and sash window to enable this expansion. I can acknowledge that as part of this application further information has been submitted regarding the history of the window in question, including the 1999 application (reference L/TH/99/0444), which authorised the installation of the bay window proposed for removal.

One of the concerns raised previously, was the impact to the symmetry of the building which I would still note as a concern as the sash window is being proposed for removal forms part of the main listed building. Although I can appreciate that there is a slight disparity between the length of the two ground floor windows, I would still note that there is a sense of proportionality and ratio to the rear of the site that would be lost if the flat roof extension proposed was implemented. It has been noted in the heritage statement that the window was likely installed in the 1970s phase of the development of the building and is not original, however the property was listed in 1986, meaning that it would have been present at the time and therefore included in this listing. I would also note that it is of an appropriate design, materiality and form to appear cohesive with the rest of the building.

The bay window was included at a later date during the works undertaken in 1999, as per the heritage report. However, I would again argue that it has been present for a significant period of time and therefore considered to be of cumulative merit to that of the overall house and its aesthetic appearance, not extant, through its contributions appearing positively amongst the overall appearance of the site.

I also believe that given the size and orientation of the proposed flat roof extension it would appear quite protuberant to the rear of the site, moving further than the existing footprint outwards and encroaching onto the rear elevation of the listed property in a non traditional form of being a flat roof. This ultimately causes harm to the rear of the building, through form, design and size, and would therefore be considered unacceptable. I would also argue that it is somewhat unnecessary given that the previous scheme, following the removal of the element, was proven to be efficient as it was without the need of the removal of these two windows.

Furthermore, looking at the information has been submitted through the heritage report, it would appear that there would be views through the site from the public realm of the flat roof extension. This is demonstrated in the images through the gate of the site and therefore would have a perceivable public impact. Appearing poorly against the listed property would also appear poorly from outside of the site causing a level of impact to the overall setting of the listed property. Again, a flat roof extension is not something that would be expected in this location and at this level of encroachment to the rear of a listed building.

Overall I do not believe that this singular element of his application would cause more than substantial harm to the Grade II listed property in question, however I also believe that it does not conserve or enhance the property either and is instead a detriment to its appearance and character. Therefore does not meet with the Listed Buildings and Conservation Areas Act 1990, Section 16 Paragraph 2 or Section 66 Paragraph 1. The proposed flat roof extension protrudes from its proposed siting, impacting the rear of the listed building in a contemporary and somewhat bulky form. I would also like to highlight that

this is further demonstrated by the previously authorised application ref L/TH/20/1046, of which the removal of the window in question was removed from the application, proving that a scheme can be successful without its incorporation. For the aforementioned reasoning above and that previously stated through pre application and the previous application I would object to the application proposed.

## COMMENTS

This application is referred to the Planning Committee at the request of Cllr Pugh as he considers the perceived harm to the listed building and the conservation area do not outweigh the wider benefit that this scheme will bring to the surrounding area.

### **Principle**

The property is a Grade II Listed Building located in the Minster Conservation Area.

Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that when 'considering whether to grant listed building consent for any works the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'. Paragraph 192 of the National Planning Policy Framework requires local planning authorities to take account of the desirability of sustaining and enhancing the significance of heritage asset, and the desirability of new development making a positive contribution to local character and distinctiveness. Paragraph 193 of the NPPF goes on to advise that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Policy SP36 sets out that the Council will support, value and have regard to the historic or archaeological significance of Heritage Assets by protecting the historic environment from inappropriate development, encouraging new uses to bring listed buildings back into use and encouraging their survival and maintenance without comprising the conservation or significance of the asset and supporting development that is of a high quality design and supports sustainable development. Policy HE03 sets out that the Council supports the retention of local heritage assets, including structures, features and gardens of local interest. Proposals that affect both designated and non-designated heritage assets will be assessed by reference to the scale of harm or loss of the significance of the asset in accordance with the criteria set out in the NPPF.

The only consideration in the determination of this application is the impact of the work on the significance of the listed building bearing in mind the National Planning Policy Framework (NPPF) which states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation irrespective of the level of any potential harm which may be caused. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset this should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The list description describes this Grade II building as:

"House. c1700. Brown brick and thatched roof. Two storeys and attic. The brickwork bonded with courses of stretchers alternating with courses of headers and stretchers, the mortar courses galleted. Plinth, plat band and kneelered parapet gables. Dormer window and stacks to left and end right. Regular fenestration of 2 wooden casements on first floor and 2 glazing bar sashes on ground floor with central half-glazed door and flat hood on brackets. Interior altered. Garden wall attached to left return of house, in brown brick, about 8 feet high and extending about 10 yards west of house to change in direction."

### **Impact upon Fabric**

This part of the dwelling which is sought to be altered was the subject of an earlier listed building application which was approved in 1999 (reference L/TH/99/0444), this consent approved a link extension between the main dwelling and workshop and garage this extension included the installation of the bay window proposed for removal by this current application.

The proposal would also involve the loss of a rear sash window serving the kitchen, which is on the main listed dwelling, although this may not be original to the building it was in situ at the time of listing and it is of an appropriate design, materiality and form to appear cohesive with the rest of the building. It is also acknowledged that the bay window now proposed to be removed was added to the building at a later date during the works undertaken following the 1999 consent, and as such is not original to the building. However, this addition has also been present for a significant period of time and part of the evolving development of the building and, as such, is considered to be a contributing factor to its overall appearance and significance. The removal of these elements through this scheme is considered to result in a loss of fabric of the listed building.

### **Impact upon Appearance**

The proposed single storey rear extension will sit to the rear of the main dwelling and southern side of the rear entrance hall. The extension is relatively modest in size, but this building is particularly sensitive due to its listed status meaning even small alterations/additions to the building could still result in an unacceptable impact to the listed building as a designated heritage asset. Furthermore alterations or removal of historic openings could fundamentally affect the overall appearance of the building.

The extension would project out a distance of approximately 1.6m and return back into the rear wall of the original house to the west of the existing shower room window. The extension would extend approximately just under halfway across the rear elevation and also project out further than the rear off shoot and entrance hall making it appear more dominant within the rear facade. It would have a flat roof, as the existing does but its fenestration style, scale or detailing would not be a reflection of the building. It is therefore considered that the proposed flat roof extension protrudes from its proposed siting, encroaching onto the rear of the listed building in a contemporary and somewhat bulky form.

The rear sash kitchen window is being proposed for removal which forms part of the main listed building. This has implications in terms of the balance of fenestration pattern. It is appreciated that there is a slight disparity between the length of the two ground floor windows, I would still note that there is a sense of proportionality to the rear elevation. If the extension was permitted this would be lost.

The proposed extension and alterations to the listed building is therefore considered to result in harm to the rear of the building, through form, design and size, and would therefore be considered unacceptable.

To the rear of the building and site there would be views through the site, from the public realm of the flat roof extension. The flat roof extension would appear poorly against the listed property in terms of its projection beyond the rear projection and across the host building would also appear poorly from outside of the site causing a level of impact to the overall setting of the listed property.

## **Conclusion**

Paragraph 196 of the NPPF states that; 'Where a 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 securing its optimum viable use'. Weighing up all aspects of the proposal here, the proposed works cause less than substantial harm to this Grade II house, and would help to provide a house fit for modern habitation and therefore ensuring that the house secures its optimum viable use, however the scheme approved in 2020 also allowed for this without causing the degree of harm this proposal would.

It is considered that the proposal would not cause more than substantial harm to the Grade II listed building, by virtue of the historic fabric; bay and sash window, the proposed extension is poorly related to the host building in its historic layout, design and proportions and therefore the proposal does not conserve or enhance the property either and is instead a detriment to its appearance and character. The proposal therefore does not meet with the Listed Buildings and Conservation Areas Act 1990, Section 16 Paragraph 2 or Section 66 Paragraph 1. The proposed flat roof extension protrudes from its proposed siting, impacting the rear of the listed building resulting in less than substantial harm.

The proposal may well bring benefits to the owner or occupier by making a more useable kitchen area, but there are no public benefits which demonstrably outweigh the harm identified. The proposed works, whilst less than substantial, are considered to result in significant harm to the historic and architectural importance and understanding of the Grade II listed building, which is not outweighed by the public benefits of the development, contrary to paragraphs 193 and 196 of the National Planning Policy Framework and Thanet Local Plan policy HE02.

## **Case Officer**

Gill Richardson

TITLE: L/TH/20/1747

Project Garden Cottage Durlock RAMSGATE Kent CT12 4HD

