

General Development Applications

(9/c) Application No's: PAP/2021/0261 and 0265

The Homestead, 82 Main Road, Austrey, CV9 3EG

Planning Application and Listed Building Applications for the dismantling of the existing Grade 2 listed barn to form two new dwellings both for

Mr M Bevan – SaLaBe Ltd

Introduction

These applications have been the subject of previous reports to the Planning and Development Board and also to a Planning Board Sub-Committee convened specifically to look at the case in more detail. The Board has also visited the site.

Matters have now reached a conclusion and the applications are referred back to the Board for determination.

The Site

The site is located along Main Road in the centre of the village and close to its junction with The Green. The listed building here consists of a linear range of timber framed and brick buildings running along the back of the pavement as a frontage to the road. The range consists of a one and half storey timber framed farmhouse (previously rendered and timber framed with wattle and daub infill panels) attached to a single storey run of outbuildings referred to in this report as the barn, faced in brick with surviving timber framed sections. The site is a prominent feature with its linear frontage along Main Road.

A general location plan is at Appendix A.

The Proposals

In short, the proposals involve the dismantling of the barn end of the range and its replacement with two new dwellings. Elements of the existing barn's structure and fabric are to be re-used in the new building work. More detail will be set out below.

Plans of the existing barn are at Appendices B and C

Plans attached at Appendices D and E illustrate the proposals.

Background

Planning permission and Listed Building Consents were granted in 2018 for the refurbishment and repair of the former farmhouse segment of this range in order for it to be re-used as a single residence. Work commenced in these consents and thus they are extant. It was always proposed to either re-use or replace the barn segment of the range for residential purposes. The preferred option was for it to be retained as a single dwelling.

However, as work progressed on the farmhouse refurbishment, it became very apparent that to undertake repairs at the gable end where it adjoins the barn, would lead to the de-stabilisation of the whole range together with the loss of some historic fabric. Work on the refurbishment was thus halted. At the request of Historic England, structural survey work together with a high-level written record of the evolution of the barn and an accurate recording of its fabric commenced. As a result, it was apparent that the barn contained more historic fabric than first thought, but that its stability would be severely compromised if the gable end adjoining the farm-house was removed.

This has led the applicant to propose the dismantling of the barn and its replacement with a new structure, but with the retention of as much of the historic fabric as appropriate. In view of the costs already incurred, particularly the additional survey work that was needed, the proposal is to replace the barn with two smaller dwellings, rather than as a single larger dwelling.

The Planning Board became increasingly concerned following the 2018 consents, that whilst work had commenced, it was continuing only slowly and that the lock-down period only exacerbated that delay. Whilst delay was perhaps understandable to some degree, the Board was very concerned that neither the farmhouse nor the barn was protected from the weather. The fear was that their stability and fabric would fall further into dis-repair such that the existing structures would need complete dismantling. The Board thus set up a Sub-Committee and it resolved to authorise an Urgent Works Notice requiring the owners to make the whole structure wind and water-proof. This work was undertaken without the need for the issue of the Notice and to a specification agreed by officers.

There has been further delay due to the very detailed interest of Historic England in the survey work that it requested in early 2022. That has revealed previously unknown features and a far deeper understanding of the history of the buildings.

The Board's last position was that it considered that the dismantling of the barn and its replacement even with the re-use of retained fabric, would cause substantial harm to the significance of this heritage asset. It was not confident that the proposal to dismantle was essential either from a structural or a heritage perspective. This was the position as recommended by Historic England in early 2022. The owner has now undertaken extensive further work under the guidance of Historic England throughout the summer of 2022 and has submitted the findings to Historic England. This is attached in summary form at Appendix F. The plans at Appendices G, H and I show the new proposals in a little more detail, following completion of this additional work and also the fabric to be retained, none of which are structural. This is detailed below (the building numbers refer to the plan in Appendix F).

- re-use of the coursed red sand-stone plinth 500mm in height utilized from the front and end gable
- re-use of the corner posts from building 2 (the framing no longer exists)
- trusses (queen post design) 4,5 and 6 re positioned on proposed gables (these features are not structural)
- refurbishment and re-use of the exposed truss in the end gable of building 3
- refurbishment and re-use of the exposed timberwork on the road-side elevation
- incorporation of the existing timber purlins as features (not part of the structure)

- although not original, the internal timber frame in G7 to be incorporated in the walling between the living and snug areas of the unit closest to the farmhouse.

In respect of other fabric, then there is currently no roof covering on the barn. The most recent roof has been the corrugated asbestos sheeting on flimsy rafters which have been removed. The intention would be to use locally sourced reclaimed plain clay tiles of a similar colour and texture to the existing farmhouse. The majority of the existing brickwork is not considered to be suitable for re-use. Several brick sizes, types and bonding have been employed during the numerous alterations to the barns and these have been frequently jointed in hard grey cement mortar. The faces of many bricks have de-laminated due to frost and other damage, which coupled with the variation in condition and the unsuitable mortar joint, rule out the possibility of their incorporation in the replacement structures on any reasonable scale. The intention would be to source bricks of a close match to the texture and orange colour of the existing and to construct several sample panels on site for inspection and approval prior to making a final decision on brick selection. Bonding and mortar jointing to also be agreed following incorporation into the sample panels.

The initial response from Historic England is supportive in principle of the proposal to dismantle, but it still requires more detail in respect of the historic recording of the building. This report therefore is prepared with this in mind. The Board will be updated at its meeting if the final response is received.

The last Board report is attached in full at Appendix J.

It will be seen that the Board resolved to re-consult upon the receipt of the final response from Historic England.

The Development Plan policies relevant to this case remains as outlined in that Appendix J.

Observations

It is proposed to deal with the key issue rather than repeat the content of previous reports. To that end Members are asked to treat Appendix J as an integral part of this report.

There are three immediate findings from past consideration of the proposals.

Firstly, there is no objection in principle to the additional residential use as proposed here as the site is within the Austrey settlement boundary.

Secondly, whilst there is concern about the visibility at the access from the site onto Main Road, that is outweighed by the heritage interest in retaining the historic frontage and building line. The provision of a standard visibility splay would require the removal and/or setting back of the new building, thus substantially harming the significance of the asset as a whole.

Thirdly, the design and appearance of the new build is proportionate to the character, design and significance of the existing building and its farmhouse neighbour.

The critical consideration is whether the dismantling of the barn is essential to the proposals as a whole and if so, is the substantial harm thus caused to the significance of the heritage asset outweighed by greater public benefits.

It is considered that the dismantling is essential. Preliminary findings have been proven to be substantiated by the later detailed analysis. The removal of the joint gable between the farmhouse and the barn needs to be removed and rebuilt if the farmhouse conversion is to be completed. The removal would seriously put the stability and structure of the whole barn at risk. That structure is presently very weak and would almost certainly require dismantling and strengthening in any event, if the "shell" was to be re-used as a single house. In short therefore the barn will need dismantling in order to secure the final restoration of the farmhouse as well as for any future proposal on its footprint. As a consequence, substantial harm will be caused to the significance of the asset.

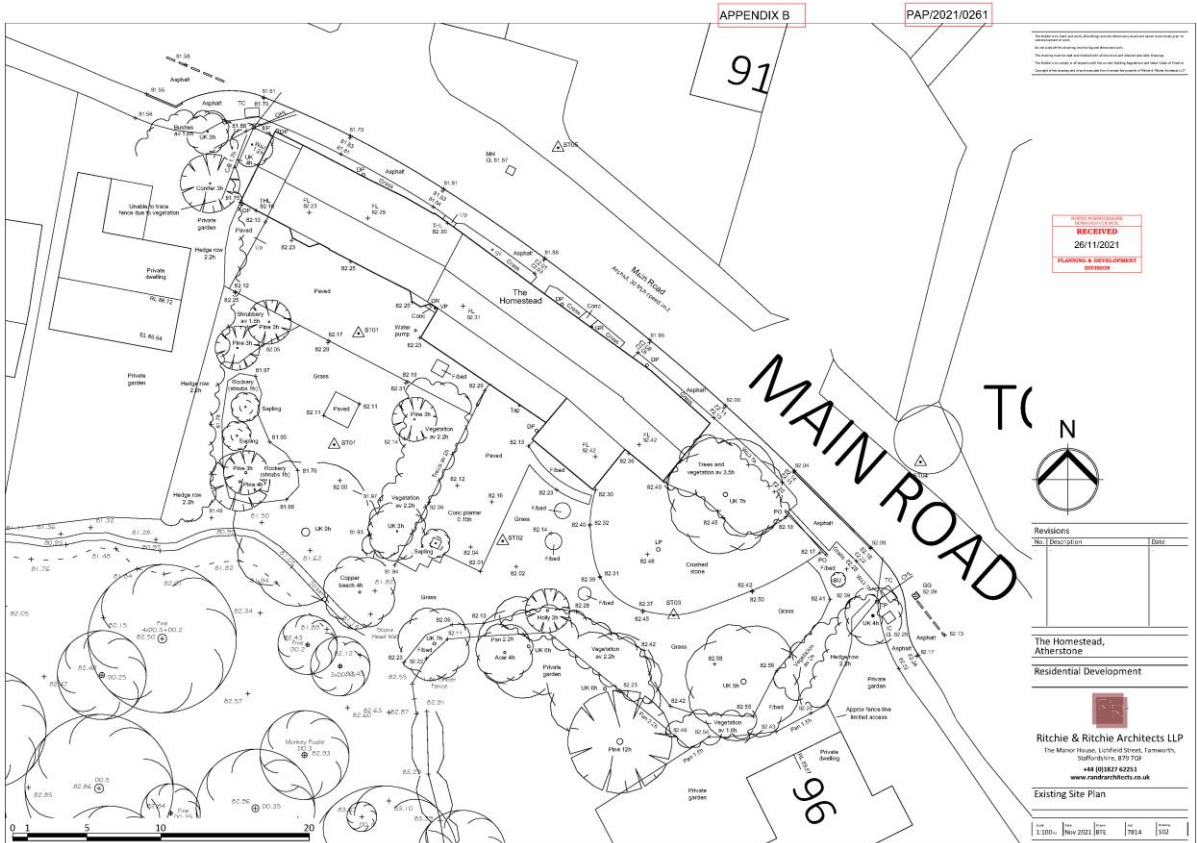
There will be public benefits. Firstly, the approved works to the farmhouse will be able to continue, leading to its retention and its continued use as a single dwelling. This is a major heritage benefit. Secondly, the new building on the footprint of the barn will retain the group value of the listing here, particularly as it will continue to be at the rear of the pavement, be of the same dimensions, retain its partial timber frame appearance and not introduce any new frontage openings. The heritage benefit of the setting and the group value is thus enhanced. Thirdly, the very detailed survey work undertaken at the request of Historic England has resulted in more of the historic fabric of the barn being identified and thus being retained. Additionally, the recording the history of the barn and the farmhouse has been greatly enhanced because of the survey work undertaken. Finally, the site itself will now be fully redeveloped by a scheme that will retain and enhance the prominence of the heritage assets here in the overall street scene.

Together it is considered that these benefits do outweigh the substantial harm caused by the removal of the barn as it stands and appears today.

If Members agree with this conclusion and thus the principle of the overall proposals, it is considered that the actual detailed planning conditions and the final exact recording specifications of Historic England can be delegated to officers in consultation with the Chairman and the Opposition Spokesperson. Because of the significant delays in coming to this position and because work has ceased for the present, it is considered that the implementation of any approvals here takes place as quickly as possible so as to prevent further deterioration of the buildings and restoration of the street scene. To that end rather than include the normal three-year commencement condition, it is proposed to reduce it to twelve months.

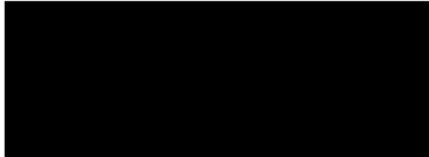


Recommendation

- a) That the Parish Council be re-consulted upon receipt of the final report from Historic England.
- b) That subject to there being no objection from the Parish Council, or that its concerns cannot be dealt with by planning conditions, the Board agrees in principle to approve both applications and
- c) that the final wording of conditions is delegated to officers in consultation with the Chairman and Opposition Spokesperson. However, one such condition will be to commence work within a twelve-month period rather than the normal three year period.




APPENDIX C

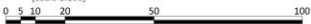
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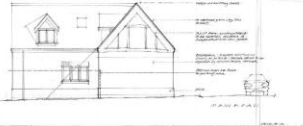




Proposed Front Elevation
[Scale 1:100]




Existing Front Elevation
[Scale 1:100]





Proposed Side Elevation
[Scale 1:100]



Existing Side Elevation
[Scale 1:100]

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13/10/2021

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No.	Description	Date

The Homestead, Atherstone
Residential Development

Ritchie & Ritchie Architects LLP
The Manor House, Lichfield Street, Tamworth,
Staffordshire, B79 7JF
+44 (0)1827 82230
www.ritchiearchitects.co.uk

Existing and Proposed Elevations					
Date	Scale	Drawn	By	Checked	By
1:100	1:100	10/2021	DKR	17834	DKP

APPENDIX D

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Datum: 80.00 AOD

Proposed Street Scene A
[Scale 1:100]



Datum: 80.00 AOD

Proposed Street Scene B
[Scale 1:100]





No.	Description	Date

The Homestead, Atherstone
Residential Development

Ritchie & Ritchie Architects
Design House
14 Ash Grove
Lichfield
WV3 3JF
www.ritchiearchitects.co.uk

Proposed Street Scenes					
Date	Scale	Drawn	By	Checked	By
1:100	Sept 2022	RTT/RMG	17834	1500A	

The information contained in this drawing is the property of Ritchie & Ritchie Architects and shall remain confidential and shall not be disclosed to any third party without the written consent of Ritchie & Ritchie Architects. This drawing is intended for the use of the client and shall not be used for any other purpose without the written consent of Ritchie & Ritchie Architects. The client shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities. The architect shall not be responsible for any errors or omissions in this drawing or for any consequences arising therefrom.



Detail: 801301-801302

Proposed Front Elevation
(Scale: 1:50)



Detail: 801301-801302

Proposed Rear Elevation
(Scale: 1:50)

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Revisions	
No.	Description

The Homestead, Atherstone

Residential Development

Ritchie & Ritchie Architects

Design: Ritchie & Ritchie Architects
Drawn: [Name]
Check: [Name]
Date: 14/10/2022
Project: 2021/0261



Proposed Front and Rear Elevations

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THE HOMESTEAD, Austrey, Warwickshire
 Summary Statement (version 0.1) – TJC2022.137

SITE NAME	The Homestead
LOCATION:	Main Road, Austrey, Warwickshire, CV9 3EG NGR: SK 29602 06445 (centred)
INTRODUCTION:	<p>This statement is an interim summary of initial observations of the linear range of brick and timber framed buildings along the west side of Main Street in the south-eastern part of the village of Austrey, North Warwickshire. The building is a designated heritage asset with a Grade II listing (NHLE: 1365187).</p> <p>The buildings are in the process of being restored and redeveloped and an archaeological building survey (HE Level 3) has been commissioned to understand the development of the extant historic fabric and its historic significance.</p> <p>The recording has been undertaken by Oliver Jessop MCIFA of The JESSOP Consultancy.</p>
PHASED DEVELOPMENT:	<p>The existing buildings on the site all front on to the street and form a continuous linear range (see Appendix I.1), which represents six phases of construction and development on the site – as follows:</p> <p><i>Phased development</i></p> <ul style="list-style-type: none"> • Building 1 (High Significance): the earliest building forms the north-west structure (Appendix I.2) and represents a free-standing timber frame with two structural divisions, upon a sandstone plinth. The building has a high proportion of the original timber frame and roof structure surviving in-situ. Note: Listed building consent has previously been granted for the restoration of this part of the site. • Building 2 (Moderate Significance): represents the second phase of construction (Appendix I.3), comprising of a rectangular timber framed barn built with a sandstone plinth, c.2m to the south-east of Building 1. Internally, the former barn has been subdivided with a central entrance passage and secondary rooms (Appendix I.8) when converted to a dwelling in the mid 19th century. Note: Only c.35-40% of the original timber frame survives in-situ (Appendix I.7), with the largest amount of historic fabric being lost on the south-west elevation (Appendix I.5), and less than 15% of the roof structure survives.

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- **Building 3** (Moderate Significance): represents the third phase of construction (**Appendix 1.4**), comprising of a square brick building with exposed timber roof trusses within the end gable (**Appendix 1.6**) located at the south-west end of the site.

Note: The building was built as a free-standing structure, although has been adapted and altered on numerous occasions, including the insertion of three doorways, the blocking of two doorways and a window representing a considerable impact to the integrity of the primary wall and roof fabric.

- **Building 4** (Negligible to Low Significance): represents an section of brick infill between **Buildings 2** and **3**, to form a covered space with a cart entrance from the south-west and single doorway opening on to Main Road (**Appendix 1.4**).
- **Building 5** (Negligible to Low Significance): represents the infilling of a narrow passage between **Buildings 1** and **2**, to create a new entrance porch (**Appendix 1.2**). This is evidenced by the construction of a lath and plaster wall above the end truss of **Building 2** (**Appendix 1.9**).
- **Building 6** (No Significance): represents a modern single storey lean-to built against the north-west of wall **Building 1** (**Appendix 1.2**).

SUMMARY

The part of the site with the highest heritage significance is **Building 1**, which already has been granted Listed building consent for its restoration and repair.

The two built elements that are also considered to have a degree of significance are **Buildings 2** and **3**, however the loss of historic fabric and the nature of structural alterations is such that overall the fabric is only partially complete and in a poor condition.

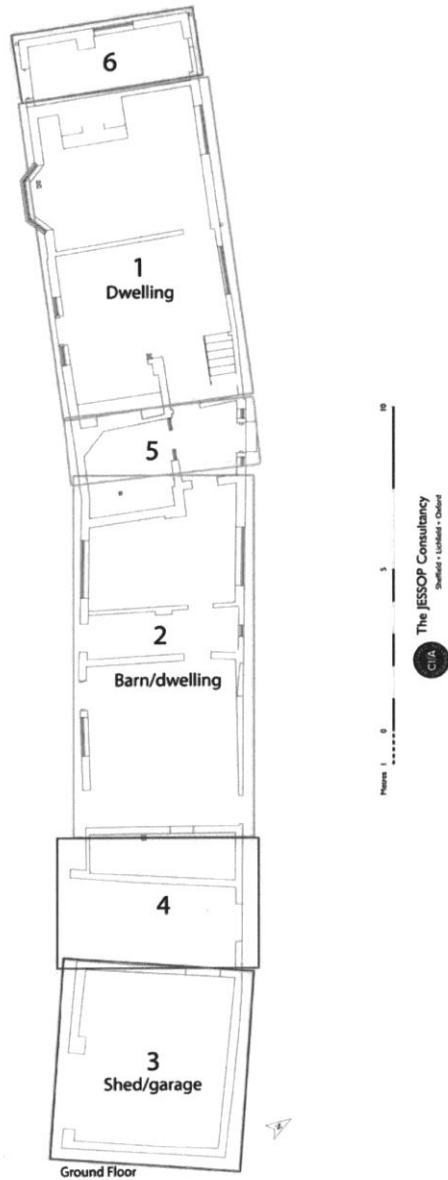
The structural appearance of the façade along the street frontage has the greatest heritage value, along with the in-situ roof trusses on either side of **Building 3**, all of which have potential for localised repair and re-use.

The detailed archaeological survey of the building has been completed and the report is currently in progress.

Oliver Jessop MCI(A)
August 2022

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Appendix I



Appendix I.1: Ground plan of building units with block phasing

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Appendix 1.2:

View looking south along street of external façades of Buildings 1-6.



Appendix 1.3:

Roadside elevation of Building 2, looking south-west.

Note stone plinth.



Appendix 1.4:

Roadside elevation of Building 3, looking west.



Appendix I.5:

General view of external south-west wall of **Building 2**.

Note extensive loss of primary timber framing and wall fabric.



Appendix I.6:

View looking up of upper truss of north-west wall of **Building 3**.

Note the blocked doorway at ground level.



Appendix I.7:

Detail of internal face of north-east wall of **Building 2**.

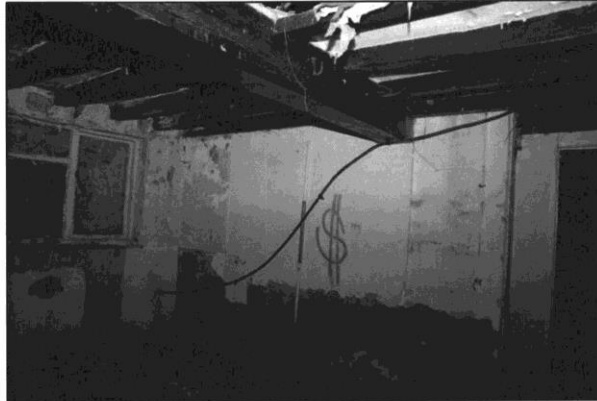
Note the modern brickwork filling the timber framing wall panels.



Appendix 1.8:

View looking west
in ground floor
room of **Building 2**.

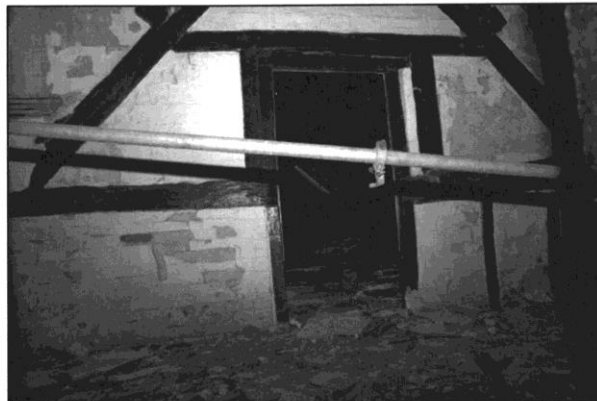
Note inserted 20th
century ceiling
beams.



Appendix 1.9:

Looking south-east
on first floor of
Building 5 towards
former external face
of end truss of
Building 2.

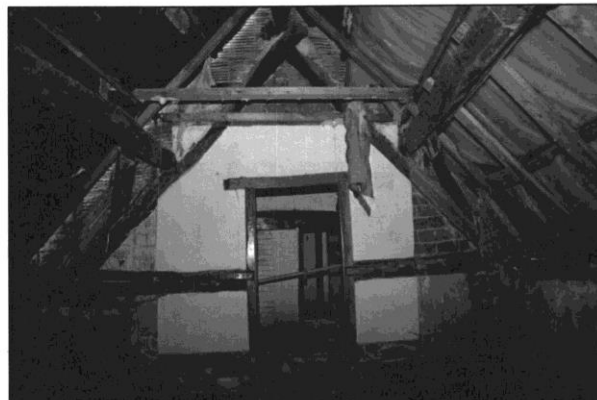
Note the inserted
doorway which cuts
across the tie-beam
of the truss.



Appendix 1.10:

Looking north-west
towards the end
truss of **Building 2**.

Note the clasped
ridge piece and
secondary lath and
plaster wall from
Building 5 above.



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7814 The Homestead Main Road AUSTREY

Bullet point proposals for works to the Barn attached to the Farmhouse, based upon reports prepared by.

- The Jessop Consultancy Building Archaeology Consultants
 - HWA (Structural Engineers) Ltd
 - Greenwood Projects Chartered Quantity Surveyors.
-
1. The Farmhouse is of high significance, the Barn is of moderate significance and was a later addition to the farmhouse.
 2. The Barn comprises 3 buildings (2,3 and 4) and is not a single building as originally thought.
 3. There was originally a gap (5) between the farmhouse and the timber frame barn (2). A gap also existed between buildings 2 and 3 both of which were subsequently filled in as was the gap between the Farmhouse and building 2.
 4. The timber framed barn, building 2 has been subdivided internally as part of the conversion to residential use
 5. Only 35-40% of the of the original timber frame survives along with less than 15% of the roof structure.
 6. Building 3 represents the third phase of construction and was built as a free-standing structure before being adapted and altered on numerous occasions including the insertion of three new doorways. The alterations have significantly impacted on the integrity of the primary wall and roof fabric.
 7. Building 4 is of negligible to low significance and represents a later infill between buildings 2 and 3.
 8. Building 5 is also of negligible to low significance and represents an infilling to provide an entrance to the Farmhouse and a link to the timber framed Barn.
 9. The structural report highlights the poor quality of the conversion works where alien materials were introduced including the use of sand cement render and pointing to facing brickwork. As well as modern blockwork and brickwork in differing bonds. Numerous openings were formed in up to 6-10 different phases of brickwork alterations with none tied into the existing walls.
 10. Some of the existing timber frame elements were not original and were imported from elsewhere.
 11. Completion of the Farmhouse to bring it back to its original appearance and condition crucially requires additional funding as identified in the report prepared by Greenwood Projects. The additional funding will be generated by the profit created by the construction of the two new build replacement dwellings.
 12. The applicant is committed to the works required to the Farmhouse and would accept conditions shortening the lifespan of any approval and conditioning occupation of the replacement units being dependant upon completion of the Farmhouse.

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Proposed Ground Floor Plan (Scale 1:50)

The Homestead, Atherstone

Residential Development

Ritchie & Ritchie Architects

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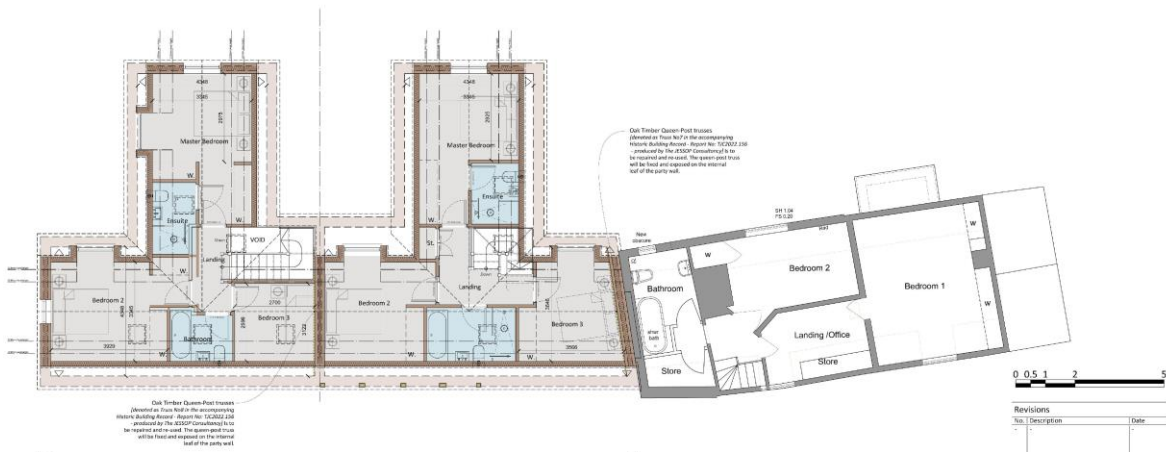


Proposed Ground Floor Plan

Scale 1:50 Date: 14/10/2022 Drawing No: 7854 Drawing Title: 2500

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Proposed First Floor Plan (Scale 1:50)

The Homestead, Atherstone

Residential Development

Ritchie & Ritchie Architects

Georgina House, 24 Brick Street, Leichfield, Walsall B71

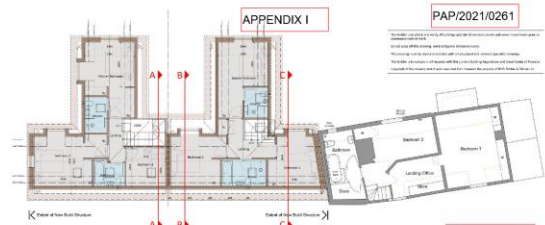
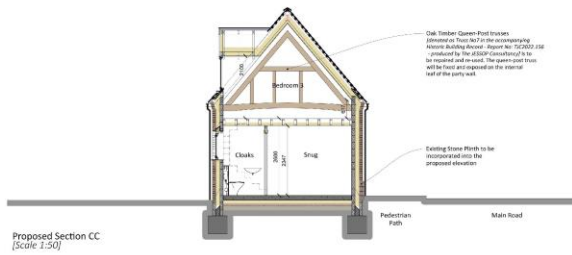
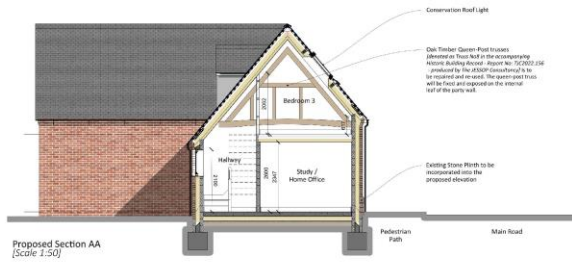
+44 (0)1827 42255



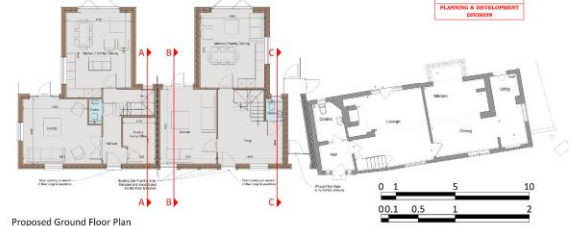
Proposed First Floor Plan

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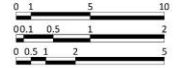
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Proposed First Floor Plan
[Scale 1:100]



Proposed Ground Floor Plan
[Scale 1:100]



Revisions	No.	Description	Date



Typical Verge Detail
[Scale 1:20]



Typical Eaves Detail
[Scale 1:20]

The Homestead, Atherstone

Residential Development

Ritche & Ritche Architects

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Proposed Sections

Section	Date	Drawn	Checked	Scale	Sheet No.

General Development Applications**(5/d) Application Nos: PAP/2021/0261 and PAP/2021/0265****The Homestead, 82 Main Road, Austrey, CV9 3EG****Planning and Listed Building Applications for the Dismantling of an existing grade 2 listed barn and re-building it to form two new dwellings, for****Mr M Bevan - SaLaBe Ltd****Introduction**

The applications are reported to Planning and Development Board to provide an update on the heritage and planning matters relating to the barn-end range of the farmhouse at the above site. Members will also be aware that a Planning Sub-Committee has also been looking at this property.

The Site

The site is located along Main Road, in the centre of the village of Austrey and close to the junction with The Green. The listed building consists of a linear range of timber framed and brick buildings running along the street frontage. The range consists of a one and a half storey timber framed farmhouse (previously rendered and timber framed with brick and wattle and daub infill panels) attached to a single storey run of outbuildings referred to in this report as the barn, faced in brick with surviving timber framed sections. The site is prominent with a linear frontage along Main Road.

The Proposal

The proposal continues to require the dismantling of the barn-end range of the listed building and to re-build it to form two new dwellings. The earlier reports detailing the matters outlined in this application is appended at Appendix A.

It is proposed to re-build the original structure of the barn and further information has been or is due to be submitted:

- a revised Heritage statement that highlights the significance of the building in greater detail than previously provided.
- the awaited viability assessment
- information on integrating the heritage elements into the proposal for the replacement barn.

The above information is to go out for a further round of consultation with the Parish, neighbours and the Amenity Societies.

The proposal will continue to cover the re-use of existing sound materials from the barn which will be incorporated on a like-for-like basis, subject to a methodology and further drawings.

5d/42

The building will be proposed to be re-constructed using traditional solid masonry wall construction with a lime mortar, a timber cut roof and with the timber framed features re-incorporated into the re-build of the barn. New external doors and windows will be installed where the existing openings are located and new openings are to be made on the rear elevation of the replacement barn. A rear extension is proposed which would re-configure that of the previous rear extensions to the barn. The re-build of the barn will then form two dwellings with associated parking and provision for garden space and thus bringing the site back into use.

Background

The background to the application site can be viewed at Appendix A.

Development Plan

North Warwickshire Local Plan 2021 - LP1 (Sustainable Development); LP2 (Settlement Hierarchy), LP8 (Windfall), LP15(Historic Environment), LP16 (Natural Environment), LP29 (Development Considerations), LP30 (Built Form), LP34 (Parking) and LP35 (Renewable Energy and Energy Efficiency)

Austrey Neighbourhood Plan – AP10 (New Housing)

Other Relevant Material Considerations

National Planning Policy Framework 2021 (NPPF).

Planning (Listed Buildings and Conservation Areas) Act 1990

Representations

A further round of consultations will be carried out once the additional details are submitted and the responses reported to a subsequent Planning and Development Board.

Previous representations received are within the previous Board report at Appendix A.

The up-dated representations from a recent round of consultations are outlined in full below:

Historic England

a) Significance

The Homestead is listed at Grade II, as a brick cottage with attached outbuilding which contains substantial remnants of a timber frame which is probably 17th century, or possibly 16th century as far as can be understood from the information available.

b) Impact

We wrote regarding the applications in September 2021. Since then, further information was provided which we responded to in a letter on 13 December 2021 despite the new documentation we are now being consulted about, we remain disappointed by the inadequacy of the information supplied to date. It remains muddled and difficult to interpret. For example, across the different documents the descriptions rely variously on bay numbering, truss numbering and room numbering which is not carried through in all the captions and plans in a useful and coordinated manner.

The most useful new documentation is the drawing provided by Ritchie & Ritchie labelled Salvage and Reuse Strategy Plan, Work in progress. The trusses are numbered and it attempts to show the surviving framing. However, this is still based on the old and less than adequate survey of the frame which the electronic building survey did not (and could not) be expected to supply. A detailed measured survey of the significant elements of the structure to be demolished, particularly the timber-framing, is still lacking. That should include drawings of the wall framing and of the trusses. The latter should record the upper faces of each truss, with details of the construction so that the relationship with the surviving wall framing is understood. There also needs to be fuller record of the roof structure particularly of the wind braces or any evidence for them. The measured survey should be accompanied by an analysis of it reveals about the development of the building.

There is a surviving historic first floor in bay 1 of the barn (between trusses 1 and 2) which can be seen in some of the pre-dereliction imagery with a substantial ceiling beam and joists. The post-dereliction imagery shows that in bay 1 trusses 1 and 2 have curved wind braces: generally an indication of a 16th century or earlier date. Imagery suggests that some of the roof timbers in that bay may be smoke blackened, offering potentially important evidence in understanding the development of the building.

No attempt has been made to understand truss 3, the roof of which has not been investigated in any way. Are the principal rafters still present? What about the wall posts and is there a tie beam? An understanding of truss 1 should establish the relationship with the Cottage: is it an open or closed truss? Has it this part of the barn been curtailed by the construction of the cottage, or was it built up against it? Whoever provides the understanding needs a basic knowledge of how timber-frames were put together, including the relationship between the upper faces of the trusses and the plan form of the building. For further understanding of this the most readily available source is Richard Harris's classic *Discovering Timber Framed Buildings* sadly out of print, and his important article: Richard Harris, 1989, The Grammar of Carpentry, *Vernacular Architecture*, 20, 1-8.

c) Policy

There is a requirement in the NPPF to understand the building and to justify the proposals when they are as extensive as this, potentially amounting to substantial harm.

The barn is a part of the listed building so that justification will need to be robust.

d) Position

As yet there is insufficient information to permit this scheme to proceed. There is no change in our overall view of the proposals from when we wrote in September 2021. We have no objection in principle to the conversion of the barn to residential accommodation but the scheme needs to pay more attention to the existing historic structure, and to retain some of it if possible, particularly bay 1 against the Cottage.

An analytic and measured survey of the building as it now stands, accompanied by an understanding of the historic development of the structure, is still required. It should be possible to provide adequate documentation to justify some limited demolition. Any demolition requires detailed survey prior to dismantling, enhanced by a detailed observation and revision to those drawings undertaken as a part of the dismantling process.

e) Recommendation from Historic England

Historic England has concerns regarding the applications on heritage grounds.

No other representations have been received following from any other amenity society during the recent round of consultation, although any further comments will be up-dated to Board verbally.

Three representations of objections and comments have been received from neighbours as summarised as follows:

- Removal of another building of significant character to the village of Austrey will be detrimental to the rural and previous agricultural nature of the village.
- The Homestead has always been a significant focal point and in keeping with the history of the village.
- A new dwelling will be detrimental to the character of the Main Road.
- It does not address the housing needs identified locally.
- Sympathetic refurbishment of the existing structure maintaining its original character features and timbers where possible both internally and externally would keep the character of an older part of the village.
- The barn is part of the listing building and dismantling it would be to not preserve a site and an example of heritage and historic importance!
- I would like further clarification on how the build will affect my boundary and my property the current boundary between the gardens is marked by a hedgerow.
- The documents submitted do not make it clear what the plans are for the rear of the property.

Observations

This report is to provide a progress report to the Board to ensure that the planning and heritage matters at this site are addressed regularly, as and when updates are available.

The Planning Sub-Committee has considered this property and Members should be aware that as a consequence, significant protective measures have now been put in place at the site such that the whole range of buildings here is now wind and water-tight.

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Additionally, the footpath alongside is now accessible. These works also have had the effect of protecting the surviving historic fabric in the barn.

Members will know that the determination of these two applications rested on the works referred to above being undertaken and the receipt of updated and more detailed reports at the request of Historic England in order to evidence the need to dismantle the barn.

As indicated above, that additional information is also likely to be received between the publication of the agenda for this meeting and the date of the meeting as well as further consultation responses from Amenity groups. It is proposed to make that information available to Members as quickly as possible.

It is thus anticipated that the two applications can be referred to the June Board for determination.

Recommendation

- a) That the Board continues to be up-dated on the heritage and planning matters at this site when new information is provided, and that a subsequent report to Planning Board will be made outlining all new representations received following a further round of consultation on the submission of further supporting documents and plans.

BACKGROUND PAPERS

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Planning Application No: PAP/2021/0261 and PAP/2021/0265

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Revised Heritage Statement (to go out for further consultation)	21.4.22
2		Historic Building Survey and Appendix	11.4.22
3		Salvage and re-use plan	8.4.22
4	Neighbour	Representation objection	8.4.22
5	Neighbour	Representation objection	8.4.22
6	Neighbour	Representation comments	18.4.22
7	Historic England	Consultation reply_comments with concerns	21.4.22

Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.

A background paper will include any item which the Planning Officer has relied upon in preparing the report and formulating his recommendation. This may include correspondence, reports and documents such as Environmental Impact Assessments or Traffic Impact Assessments.

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General Development Applications

(6/C) Application No: PAP/2021/0261 and PAP/2021/0265

The Homestead, 82 Main Road, Austrey, CV9 3EG

Planning and Listed Building Applications for the Dismantling of an existing grade 2 listed barn and re-building it to form two new dwellings, for

Mr M Bevan - SaLaBe Ltd

Introduction

The applications are reported to Planning and Development Board to provide an update on the heritage and planning matters relating to the barn-end range of the farmhouse at the above site. Members will also be aware that a Planning Sub-Committee has also been looking at this property.

The Site

The site is located along Main Road, in the centre of the village of Austrey and close to the junction with The Green. The listed building consists of a linear range of timber framed and brick buildings running along the street frontage. The range consists of a one and a half storey timber framed farmhouse (previously rendered and timber framed with brick and wattle and daub infill panels) attached to a single storey run of outbuildings referred to in this report as the barn, faced in brick with surviving timber framed sections. The site is prominent with a linear frontage along Main Road.

The Proposal

The proposal is to require the dismantling of the barn-end range of the listed building and to re-build it to form two new dwellings. The previous report detailing the matters outlined in this application is appended at Appendix A.

It is proposed to re-build the original structure of the barn and revised information is to be submitted very soon so as to include:

- A draft structural survey.
- An enhanced drawing survey.
- A report on the methodology to be used in the proposed dismantling of the barn.

The proposal will continue to cover the re-use of existing sound materials from the barn which will be incorporated on a like-for-like basis, subject to a methodology and further drawings.

The building will be proposed to be re-constructed using traditional solid masonry wall construction with a lime mortar, a timber cut roof and with the timber framed features re-incorporated into the re-build of the barn. New external doors and windows will be installed where the existing openings are located and new openings are to be made on the rear elevation of the replacement barn. A rear extension is proposed which would re-configure that of the previous rear extensions to the barn. The re-build of the barn will

6C/30

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then form two dwellings with associated parking and provision for garden space and thus bringing the site back into use.

Background

The background to the application site can be viewed at Appendix A.

Development Plan

North Warwickshire Local Plan 2021 - LP1 (Sustainable Development); LP2 (Settlement Hierarchy), LP8 (Windfall), LP15(Historic Environment), LP16 (Natural Environment), LP29 (Development Considerations), LP30 (Built Form), LP34 (Parking) and LP35 (Renewable Energy and Energy Efficiency)

Austrey Neighbourhood Plan – AP10 (New Housing)

Other Relevant Material Considerations

National Planning Policy Framework 2021 (NPPF).

Planning (Listed Buildings and Conservation Areas) Act 1990

Representations

A further round of consultations will be carried out once the additional details are submitted and the responses reported to a subsequent Planning and Development Board.

Previous representations received are within the previous Board report at Appendix A.

Observations

This report is to provide a progress report to the Board to ensure that the planning and heritage matters at this site are addressed regularly, as and when updates are available.

The Planning Sub-Committee has considered this property and Members should be aware that as a consequence, significant protective measures have now been put in place at the site such that the whole range of buildings here is now wind and water-tight. Additionally, the footpath alongside is now accessible. These works also have had the effect of protecting the surviving historic fabric in the barn.

Members will know that the determination of these two applications rested on the works referred to above being undertaken and the receipt of updated and more detailed reports at the request of Historic England in order to evidence the need to dismantle the barn.

As indicated above, that additional information is now likely to be received between the publication of the agenda for this meeting and the date of the meeting. It is proposed to make that information available to Members as quickly as possible after receipt and to also forward it to the appropriate consultees – notably Historic England.

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It is thus anticipated that the two applications can be referred to the May Board for determination.

Recommendation

- a) That the Board continues to be up-dated on the heritage and planning matters at this site when new information is provided, and that a subsequent report to Planning Board will be made outlining all new representations received following a further round of consultation on the supporting documents and plans.

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APPENDIX A

General Development Applications

(5/i) Application Nos: PAP/2021/0261 and PAP/2021/0265

The Homestead, 82 Main Road, Austrey, CV9 3EG

Dismantling of the existing grade 2 listed barn and re-build to form two new dwellings

and

Listed Building Consent for dismantling of the existing grade 2 listed barn and re-build to form two new dwellings,

Both for

Mr M Bevan - SaLaBe Ltd

Introduction

These applications are presented to the Board in light of the circumstances of the proposals given the statutory protection of the listed building (barn) which is proposed to be dismantled and re-build.

The Site

The site is located along Main Road, in the centre of the village of Austrey and close to the junction with The Green. The listed building consists of a linear range of timber framed and brick buildings running along the street frontage. The range consists of a one and a half storey timber framed farmhouse (previously rendered and timber framed with brick and wattle and daub infill panels) attached to a single storey run of outbuildings referred to in this report as the barn, faced in brick with surviving timber framed sections. The site is prominent with a frontage along Main Road. The context of the site is illustrated at Appendix A.

The Proposal

The proposal requires the dismantling of the barn end range of the listed building and to re-build it to form two new dwellings. It is proposed to re-build the original structure and not the later extensions to the rear. Asbestos removal has already been carried out on the barn with the extent of asbestos being limited to the roof covering. The modern rear extensions to the barn have also been removed.

The proposal covers the re-use of existing sound materials from the barn which will be incorporated on a like for like basis. The building will be re-constructed using traditional solid masonry wall construction with a lime mortar, a timber cut roof and with the timber framed features re-incorporated into the re-build of the barn. New external doors and windows will be installed where the existing openings are located and new openings are to be made. A rear extension is proposed which would re-configure that of the previous rear extension to the barn. The re-build of the barn will then form two dwellings with

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associated parking and provision for garden space and thus bringing the site back into use.

The existing elevations to the barn and the proposed elevations are illustrated at Appendix B for comparative purposes. The use of the re-build will have a floor plan configuration for two dwellings as indicated by the layout at Appendix C. The parking is proposed to cover sufficient parking for three dwellings, being for that of the existing listed farmhouse and for the two new dwellings, with bin storage and private rear amenity spaces, all illustrated on the site layout plan at Appendix D.

Background

Planning Permission and Listed Building Consent have previously been approved for the restoration of the farmhouse and the conversion of the barn end range for one dwelling, under applications PAP/2016/0529 and PAP/2016/0531. These applications were partially taken up in that works had started to the farmhouse in preparation for restoration over two years ago and soft stripping occurred with the removal of modern 20th century fabric, which were inappropriately applied to the farmhouse and the barn during the 1970's and 1980's.

However, the extent of stripping out had gone beyond soft stripping and resulted in the removal of the roof across the entire building. The roof had been upgraded to the farmhouse range in previous years and the clay tiles removed and palleted on site in readiness for inspection of the roof timbers. The roof of the barn was unfortunately a corrugated asbestos, which was propped up on the existing poor roof structure to the barn and so its removal was necessary because not only was it insecure but a danger to passing pedestrians and road users. The removal of the roof across the entire building has caused water ingress as the tarpaulin is not a suitable system for weather protection.

The modern rear extension to the barn which formed a 1960's garage block and modern interventions such as block work within the barn have also been removed. Though the extent of stripping out has gone beyond a soft strip the main significant architectural features within the barn still remain.

Structural issues were identified within the barn and the farmhouse and following several structural surveys (one of which was carried out by a conservation accredited structural engineer) an informed approach to structural repairs could be advised. Structurally the entire listed building requires serious remedial work and the barn end range has been repaired with highly cementitious materials, which has harmed the fabric of the barn overall.

Required structural works have been carried out to the farmhouse. To complete this, the adjoining wall to the barn also requires serious structural intervention, such as dismantling and rebuilding as the gable end of the cottage also forms the adjoining wall to the barn. As a consequence, one bay of the barn is proposed to be removed to assist with the final structural repairs to the farmhouse under application PAP/2021/0057.

Details of the planning history have been provided in the supporting document submitted with the application entitled: 'Historic Building Survey', which assess the condition of the building highlighting areas of harm on significance and provides a

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limited justification on the reasons for the proposed works. A further statement has been provided in a revised format.

For completeness about the understanding of the main features of the grade 2 listed farmhouse and its attached barn, the list entry follows:

Farmhouse. C17 with mid/late C20 alterations. Timber-framed with C20 colourwashed pebbledash. Late-C20 plain-tile roof, brick ridge and right end stacks. Attached former outbuilding to left, now part of the house, is partly timber-framed with brick infill and partly of brick. Corrugated asbestos roof. Originally 2-unit plan. One storey and attic; 2-window range. C20 studded door on left has flanking lead-latticed small windows. 2 old 3-light windows with glazing bars have painted rendered lintels with keyblocks. Mid/late C20 dormers have 3-light casements. Small one-storey range on right has C20 casement in return side. Left range is of one storey. Stable and 2 plant doors. Late C20 three-light casement on right. Left return side has timber-framed gable. Rear is irregular. Interior has exposed framing. Open fireplace has rough bressumer. Stop-chamfered joists. Room to left has flagged floor. Queen strut roof.

Development Plan

North Warwickshire Local Plan 2021 - LP1 (Sustainable development); LP2 (Settlement Hierarchy), LP8 (Windfall), LP15(Historic Environment), LP16 (Natural Environment), LP29 (Development Considerations), LP30 (Built Form), LP34 (Parking) and LP35 (Renewable Energy and Energy Efficiency)

Austrey Neighbourhood Plan – AP10 (New Housing)

Other Relevant Material Considerations

National Planning Policy Framework 2021 (NPPF).

Planning (Listed Buildings and Conservation Areas) Act 1990

Representations

Representations received expressing the following:

- Any development within the grounds would be inappropriate as any modern structure erected within the curtilage would look totally out of place.
- Full support as the current building is unsafe and an eyesore
- There is a lack of parking
- The access is poor close to a bend
- No provision has been made for cycle storage
- The Homestead and its outbuildings are a really important part of the character of Austrey. In a small village overwhelmed by new development it represents part of a cluster of heritage buildings which show the original character and history of the village.
- The Homestead plot has already been the subject of extensive development, with a set of brand new homes built on the original grounds behind the cottage, despite the historic significance of the site.

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- Demolishing the Grade II listed low level agricultural buildings which form part of the property, and replacing them with new homes, would not only completely alter and detract from the appearance of the main street, it would also damage the setting of the Homestead itself.
- This property has now been empty for some 5 years and in that time has deteriorated considerably. It is really sad to see such a lovely old building not being lived in and falling down before our eyes.

Austrey Parish Council – It approves the refurbishment of the main house but strongly objects to the demolition of the attached barns for the following reasons:

- need to preserve an historic listed building

The Homestead is a listed building steeped in history clearly shown by the applicant in some of the photos from many years ago. It fronts the road and is highly visible, forming the character of the area with other listed buildings in close proximity. The barns are an important and integral part of the building and make up half of the property's frontage to the road. They should remain intact and should be restored sympathetically. The property would probably not have been in the state it currently is if the applicant had not removed the roof many months ago, leaving the property to the elements, without adequate protective covering.

- commercial gain at the expense of a listed building

The Historic building survey attached to the application states they require "to demolish the barn range to allow the construction of two new residential units which will help fund the works to restore the farmhouse". The desire to demolish the barns and build 2 more properties to "fund the restoration of the main house" is a clear disregard for this historic property at the expense of commercial gain and should not be allowed under any circumstances. If the applicant cannot afford the restoration he should sell it to someone who can. The simple matter is that building 2 new properties will make him more money. To allow this application to go ahead on this basis sets a very dangerous precedent. Listed buildings by nature are usually expensive to maintain/renovate. They are listed because they have "special architectural or historical interest" and should never be demolished simply because the builder/ owner can make more money by demolishing them. To assess a listed buildings viability based on financials alone would make almost all listed buildings unviable.

- negative effect on the street scene

The proposal to demolish the attached barns would effectively remove fifty percent of the frontage of this building and would therefore have a very detrimental impact on the street scene. The huge change in street scene proposed will also have a detrimental impact on the view out from those properties. The OS maps provided clearly show the whole building dating back to 1886 which indicates the street scene has been such since at least that date. To allow the barns removal now would have a negative impact on the character of this historic area within our village. It was resolved to object on the grounds of over-intensification.

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Consultations

Historic England – It objects. The full response is at Appendix E.

National Amenity Societies (historic buildings and places) - There is an objection to the original application and to the revised supporting information. The full consultation response is recorded at Appendix E

Society for the Preservation of Ancient Buildings – It objects as recorded in Appendix E.

The Council for British Archaeology - It objects as set out in Appendix E.

County Planning Archaeologist - There is no objection, but some archaeological work should be required if consent is forthcoming through planning conditions.

Warwickshire County Council as Highway Authority – It objects as the visibility splays from the vehicular access to the site do not accord with guidance. Parking areas are considered remote from the pedestrian accesses to the properties.

Observations

a) Introduction

The Homestead is a Grade 2 Listed building: As such the Local Planning Authority has a statutory duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest it possesses. This duty is directed by Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Section 17 of the same Act provides that without prejudice to this general power, listed building consent may be granted subject to conditions with respect to:

- preservation of particular features of the building, either as part of it or after it is removed
- making good of any damage caused to the building by the works after work is completed
- reconstruction of the building or any parts of it following the proposed works, using the original materials as far as possible, and any alterations within the building as laid down in the conditions.

In addition, Section 17(3) provides that listed building consent for demolition of a listed building may also be granted, subject to a condition that the building shall not be demolished before an agreement outlining how the site will be redeveloped is made, and planning permission has been granted for such a redevelopment, has been granted.

The main consideration is therefore the impact of the proposed works regarding the dismantling of the barn range of the listed building on the significant architectural and historic character it possesses. Furthermore, the principle of providing two new dwellings needs to be assessed as well as the highways impact and amenity and design considerations.

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b) Sustainability

The site falls inside the development boundary for Austrey, a small, nucleated village to the north of the Borough and a Category 4 settlement as defined by policy LP2 of the Local Plan, where development will be supported in principle. Furthermore, category 4 settlements will cater for windfall developments of no more than 10 units. A windfall development of two units as here within the confines of Austrey, can be considered appropriate in principle in terms of housing numbers. The site is in a sustainable location with access to a local shop, village hall, public house and bus routes to the larger town centres in North Warwickshire.

c) Highway Matters

Local Plan Policy LP29 (6) requires safe and suitable access to the site for all users and that proposals provide proper vehicular access, parking, and manoeuvring space for vehicles in accordance with adopted standards. Policy LP34 does not change this requirement. Paragraph 111 of the NPPF indicates that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The proposal improves the existing access to the site and the best visibility splays that could be achieved are shown on the submitted revised drawings - the proposed splay looking left from the access is marginally better than the existing splay. In mitigation, the grass margin strip footway fronting the site will be removed and resurfaced with tarmac, thereby providing some improvement for pedestrians. The bin collection point would be moved closer to the public highway footway and would be satisfactory. The highways layout plan is illustrated at Appendix D.

However, the Highway Authority could not agree to three dwellings (the existing farmhouse and the two new dwellings to be created by the re-building of the barn) using the access unless mitigation outweighed the risks. The highways authority has concluded the existing access would be intensified as a result of the proposal. The nature of the highway objection is that the visibility splays from the vehicular access to the site do not accord with guidance and that the parking area is considered remote from the pedestrian accesses to the properties.

The consideration here is therefore whether there are any other overriding issues that outweigh the highways objection.

The parking area is suitably laid out for six vehicles with sufficient space for manoeuvrability and the ability to enter the highway in a forward gear. The visibility looking right on exit from the site is good, however the visibility looking left is short of the required distance. The visibility splay cannot physically be made better, but it is an improvement on the existing situation. The re-build to the barn would be set back marginally into the site, which has improved visibility to the left. Furthermore, the occupier of the existing farmhouse would have had to walk a fair distance from the existing parking area at the site in order to access the farmhouse and so this situation does not change. If anything, the new barn development benefits from parking on the doorstep without any undue walking distance. The occupiers of the farmhouse would walk the same distance.

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It is not perceived that the creation of two additional units, which in addition to the existing farmhouse would be detrimental to how the site operates or cause unacceptable levels of intensification in terms of vehicle use to the site. The site will benefit from six dedicated, off-road parking spaces and would not lead to a material increase in on-street parking to the detriment of highway safety or therefore prejudice the use of adjacent accesses. As such, it is not considered that the development, a development which provides for parking in accordance with adopted standards, would materially affect the use of the access or harm pedestrians using the footway given that vehicles from the site can enter the highway in a forward gear.

The overriding consideration here is very much considered to be that the site must be secured for re-occupation of the listed building otherwise the site will fall into further disrepair. Highway safety is important but equally the use of the access for parking is essential for the development to safeguard the future of the listed building, which is an important asset and would be considered to override a highway objection.

d) Design

Local Policy LP30 sets out general principles for new development, requiring harmony with the immediate and wider surroundings and reflection of characteristic architectural styles and predominant materials. This is in accordance with paragraph 130 of the NPPF which encourages well designed places.

The existing building is of a traditional construction characteristic of a timber framed building attached to a former historic farmhouse. The vernacular building is essentially a barn predominantly brick built with partial timber framing to its front elevation and attached to the farmhouse.

By its very nature the re-development of the barn will invariably produce a slight visual change in the street scene, given that the barn would be re-built. The new development would take on the same type of characteristics of the barn in terms of its scale and seeks to echo architectural features. However, it will have an overall greater massing than the existing barn to the rear, although that does replace the modern extensions to the barn which have been since been removed. In terms of design considerations - then the appreciable impact of such a change is considered to be acceptable for the following reasons:

- > The width of the existing barn would be reflected in the new build barn across its frontage and would be slightly set back from the edge of the public footway/highway.
- > The appearance would re-create the barn, which would continue to be 'read' as a barn - albeit with additional and re-configured openings. It retains the terrace run with the adjoining farmhouse.
- The access to the side of the site remains in the same location, but made slightly wider and it retains the sense of openness to the side of the site.
- The resulting development would be no taller than the existing barn and would retain existing materials where sound to be reused in the barn re-construction subject to a working methodology.
- The development will be no taller than the existing or adjoining dwellings.

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6C/39

5d/57

Notwithstanding the issue about dis-mantling the barn, it is considered that the design presented in the revised plan for the re-build of the barn does assimilate with its immediate and wider setting and retains the terrace row with the farmhouse. Any re-construction of the barn should be agrarian in character because it should re-create the barn in the context of the farmhouse using all of its sound materials that would be retrieved from dismantling. The local character would not be unduly altered in terms of the design proposed by the revised plan and it assists in preserving the local character attributed to the restoration of the farmhouse according with policy LP30 of the North Warwickshire Local Plan.

e) Amenity

Local Plan Policy LP29(9) seeks to avoid unnecessary impact of development upon the neighbouring amenities. As the site is already built then the like for like impact on new build such as the barn does not impact upon the amenity of the nearby occupiers of the site. No objections have been made to the proposal regarding loss of light or loss of privacy. The layout of the site provides private amenity space for future occupiers of the site and there are long separation distances to the site at the rear.

Revised plans have indicated parking provision to the side of the site for six vehicles. The siting of the access is historical but should not cause undue general disturbance from vehicle movements to the nearest house at 96 Main Road, beyond how the existing site would have operated with traffic movement. The separation from the parking area to the neighbour is well screened with existing landscaping.

The one and a half storey rear projections proposed to the barn re-build are not considered to breach any 45-degree guidance to habitable rooms within adjacent dwellings, preserving the passage of light. The re-built barn would not lead to any shadowing and loss of sunlight, given the development remains as a terrace row and is well separated from the immediate neighbours at Numbers 80 and 96 Main Road.

The amenity space provided for the re-built barn – which comprises two residential units - is acceptable given garden spaces are provided. Overall therefore, the proposal does accord with policy LP29(9) of the North Warwickshire Local Plan.

f) The barn and its current condition

The survival of the barn and in particular its supporting structure is fragile. The corrugated roof sheeting has been removed and the structure has been covered with sheeting. However, the condition of the barn is very poor with years of neglect. The elevations to the barn and the interior are a mis-match of materials and harmful interventions dating from the 1980's. There is evidence of cement having been used which has contributed to damp ground conditions and spalled brickwork on the interior of the walls.

The gable end of the barn element to the building is of timber framing with panels of infill brickwork all of which is of considerable age and in poor condition. The gable appears to lean outwards and there are cracks in the masonry at the rear wall return. The front elevation of the barn was inspected and again this elevation is in part of timber framing with infill panels of brickwork the remainder being brickwork built off a stone base at the right-hand section and brickwork down to ground level at the left-hand section.

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5d/58

Some areas of brickwork show signs of lateral movement to the right-hand side of the stable type door where there appears to be a horizontal projection of the upper brick courses over the lower section. The area of masonry to the right-hand side of the doorway appears to have moved to the right. A fabricated steel bracket had been fixed between the timber roof purlin and the gable rafter.

The vertical propping supporting the timber purlins is considered inadequate and is lacking in overall stability there being no bracing of any description to the roof structure. The roof structure to the barn could fall at any time and so in the very least - intervention to the elevations, gable end and roof will be required to secure the remains of the barn.

Overall, the existing roof is in a very unstable condition and the timbers contribute very little to the strength of the roof. Some elements of the original roof structure were in evidence although these have been altered. Surveys have identified that the barn is likely to fail in the near future.

The significance of the barn is important and in the context of the farmhouse is a good example of 17th century architecture, albeit harmful intervention has occurred over the years. Both the Barn and the Farmhouse were originally constructed with thatched roofs and both subsequently replaced in the 20th Century with a tiled roof in the case of the Farmhouse and asbestos sheeting with the Barn. The two roofs were also raised significantly from their original ridge line in an unorthodox fashion. Exactly how this was achieved is not completely clear in respect of the farmhouse without closer inspection from a scaffold.

Experience of previous works to these buildings has given cause for concern as to the adequacy of any of the roof or other works undertaken. Indeed, there have been a number of instances where the original frame has been cut through, and structural members replaced with an assortment of dubious solutions (eg. scaffold boards as purlins, trusses removed and propped with tree branches as well as upper floor loadbearing walls without support), thought to have been carried out in the 1980's.

The Barn is a multi-bay timber frame structure with only one real original truss and almost no lateral restraint at the upper level. Whilst access could be afforded to repair the truss from the lower level, the issue here is accessing the upper part of the gable to the southern end of the farmhouse where the roof has been artificially raised in a form not yet known and needs to be addressed to ensure the safe re-instatement of the existing plain clay tiling and construction work required to the gable.

The matters relating to the general condition of the farmhouse and the barn are covered in the Historic Building Survey which forms part of the application submission documents.

A full schedule of the works and methodology for dismantling the barn would be required by condition or further evidence provided during the application process through a conservation accredited structural surveyor to justify the dismantling of the barn. It would also be worthwhile justifying the enabling development here, such as balancing the future conservation of the asset, or in this case part of the asset as a result of departing from conflicting planning policies. The poor state of the barn is illustrated in the photographs at Appendix F.

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The significance of the Heritage Asset needs to be assessed to understand whether the works are harmful and whether that harm is considered substantial harm or less than substantial harm and whether any public benefit is identified.

g) Significance

The barn has interesting elements of original features and fabric which have and will be compromised by the existing and proposed works. The building as a whole appears to have been constructed in several phases most of which are of historic interest. Some original trusses and earlier purlins survive (all of which appear to date from at least the 18th Century). The significance of the building lies in a number of factors including its historic, aesthetic and evidential value with some elements date from 17th Century. The barn has been altered throughout time, though the timberwork that remains to some sections of the barn is worthy of continued preservation.

The building holds potential physical evidence of many past configurations. Whilst modern interventions over the last 30 years are viewed as being harmful to those of previous alterations, they do have value in terms of understanding the evolution of the present buildings on site (farmhouse and barn). Significant physical elements of the building include its surviving timber framed elements such as walls and trusses and its historic planform which is evidential in regard to past uses. Historic alterations and adaptations evident in brickwork within the walls are also of high significance.

h) Impact of proposed works on significance

The barn has not fared well after the corrugated roof (asbestos covering) had been removed, though there were many phases of intervention evident and some modern blockworks and brickwork with cementitious pointing having occurred. The key feature is that the farmhouse needs to be completed and restored and urgent works finished to enable the building to be watertight over winter. It would be harmful for the building to remain without a roof or without further action for another winter. In summary all the principal elements of the Barn are in such a poor state they would have to be completely replaced.

- The roof is only capable of supporting lightweight corrugated sheeting
- The walls comprise multiple types and sizes of bricks without any lateral restraint and suffering from settlement
- Foundations are inadequate and impacted by tree roots contributing to settlement
- The only remaining window is of an inappropriate 20th Century style and size

The present owner is committed to finalising the restoration of the farmhouse, though it is becoming more apparent that this must be financed through the re-development of the barn. Considerable investment would be required to finalise the repairs to the farmhouse and to address the issues associated with the barn. However there has already been a level of refurbishment to the farmhouse subject to previous conservation informed repairs and approach to structural interventions.

The NPPF advises at paragraph 199, 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. The more important the asset, the greater the weight

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should be. Furthermore paragraph 200 advises that 'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.'

The total dismantling of the barn would remove half of the listed building which amounts to substantial harm on the significance of the heritage asset. The issue is whether this harm is sufficiently justified and can be outweighed by public benefits.

It is presently considered that further information is required to justify total loss of the barn, which might then accord with the NPPF and a further survey would be required from a conservation appointed surveyor with an expertise in this type of work. The requirement for additional information is required by Historic England and the Amenity Groups.

i) Balancing the Public benefit

The dwelling has been vacant for around eight years and it is unlikely that the dwelling with the barn would appeal as residential use to any potential buyer in the present circumstances with the elevated cost of materials and the need for continuing with a conservation-led approach to secure the future of the farmhouse element of the listed building.

Paragraph 201 of the NPPF advises that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, 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'.

In this regard, it is acknowledged that the proposal would provide some economic benefits via supporting the construction industry, and local economy due to an increase in residents using the local services. It is also acknowledged that the proposal would add to the supply of market housing of two units in Austrey and the development of two houses would help to pay for the cost of restoration to that of the host farmhouse, which retains much of its historic fabric to the upper floor. The public benefit of bringing the site back into use, with the farmhouse fit for habitation and the provision of two dwellings within the settlement has the benefit of meeting the housing needs of the settlement as well as securing the future for the asset with a preferred use.

However, these benefits are not yet considered to outweigh the substantial harm brought about on the total loss of the barn and without further evidence the proposal cannot be supported in terms of the overall loss to half of the listed building. As such the proposal would be considered contrary to section 16 (2) of the Planning (Listed Building and Conservation Areas) Act 1990 and to section 16 of the NPPF and Policy LP15 of the North Warwickshire Local Plan.

j) Other matters

The site once formed a site for wildlife in the centre of the village including bats roosts and nests for several species of birds. The removal of the roof back in early 2019 has removed the potential for a roosting site for bats. It is therefore unlikely that any protected species remain within the farmhouse or within the barn at this present time, given the roof has been removed for some time.

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Whilst the proposal does not provide for any renewable at this stage, it is possible that alternative sources of energy are possible such as a ground source heat pump. It is possible that these type of installations can be provided within the re-build of the barn.

The site will retain garden and hardstanding in its existing configuration and no loss of vegetation is known at this stage. Given the condition of the building then there are no known habitats within the building or within the grounds. There is no net gain to biodiversity here but at the same time there is no net loss and if a scheme were forthcoming then additional landscaping would be required that would assist in providing habitats.

k) Conclusion

Drawing the above factors together, the proposed works harm the significance of The Homestead as a listed building. The evidence provided during the application points to the matter that harm had already occurred to the listed building through 1970's and 1980's intervention on parts of the building. Whilst significant elements also remain that will continue to be preserved in the farmhouse itself.

Conflict arises with the overarching statutory duty as set out in the Planning (Listed Buildings and Conservation Areas) Act 1990, which must be given considerable importance and weight, along with the National Planning Policy Framework. In addition, the scheme would fail to comply with Policy LP15 of the North Warwickshire Local Plan 2021, insofar as it seeks to conserve heritage assets.

It is clear that significant resources have already been put into the restoration and repair of the farmhouse, such that structural works are near to completion. The remainder of the works to be done here very largely await the outcome of the barn applications before further conservation works can be progressed on the farmhouse. This is because they essentially need to involve partial removal of the barn. A delay in the determination of the barn application could imply that the farm-house roof will not be installed soon and thus the site will never be completed. As explained above, officers together with Historic England cannot yet agree to the dismantling of the barn as essential information is still needed.

It is therefore proposed that that information is formally requested with an indication that if it is not, then the current applications be refused. In order to protect the farm-house, the Board should consider the issue of an Urgent Works Notice requiring at the very least, the covering of the farm house in an proper way so as to make it wind and water tight. The recommendation below allows the applicant a month in which to outline how he proposes to move forward. At that time the Board would then receive a full report explaining the need, if appropriate, for an Urgent Work Notice together with the implications of any such service.

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Recommendation

- a) That the Board is minded to REFUSE both applications unless further information is submitted relating to the matters as outlined in the report. In this regard the applicant is requested to engage immediately with the Councils Heritage Officer and to provide a timetable for the submission of further information. A further report is to be prepared for the next Board meeting scheduled for 7 February 2022 outlining progress in this regard with further updates to be provided to subsequent Planning and Development Boards.
- b) That the applicant be notified that should no progress be made in respect of recommendation (a) the Planning and Development Board is minded to serve an "Urgent Works" Notice under section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This will require scaffolding to be erected such that the building can be made watertight with a suitable cover.

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BACKGROUND PAPERS

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Planning Application No: PAP/2021/0261

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	26/4/21
2	WCC Archaeology	Consultation reply	9/9/21
3	Ancient Monuments Society	Consultation reply	16/9/21
4	SPAB	Consultation reply	22/9/21
5	Council for British Archaeology	Consultation reply	22/9/21
6	Historic England	Consultation reply	23/9/21
7	Austrey PC	Representation	27/9/21
8	Historic Buildings and Places	Consultation reply	03/12/21
9	WCC Highways	Consultation reply	8/12/21
10	WCC Highways	Consultation reply	28/10/21
11	STW	Consultation reply	2/12/21
12	Neighbour	Representation	6/9/21
13	Neighbour	Representation	10/9/21
14	Neighbour	Representation	10/9/21
15	Neighbour	Representation	13/9/21
16	Neighbour	Representation	21/9/21
17	Case Officer to Agent	E-mail Correspondence	27/9/21
18	Case Officer to Agent	E-mail Correspondence	23/9/21
19	Case Officer to Agent	E-mail Correspondence	13/10/21
20	Case Officer to Agent	E-mail Correspondence	28/10/21
21	Case Officer to Agent	E-mail Correspondence	28/10/21
22	Case Officer to Agent	E-mail Correspondence	1/11/21
23	Case Officer to Agent	E-mail Correspondence	2/11/21
24	Case Officer to Agent	E-mail Correspondence	10/11/21
25	Case Officer to Agent	E-mail Correspondence	11/11/21
26	Case Officer to Agent	E-mail Correspondence	16/11/21
27	Case Officer to Agent	E-mail Correspondence	17/11/21
28	Case Officer to Agent	E-mail Correspondence	22/11/21
29	Case Officer to Agent	E-mail Correspondence	22/11/21
30	Case Officer to Agent	E-mail Correspondence	22/11/21
31	Case Officer to Agent	E-mail Correspondence	2/12/21
32	Case Officer to Agent	E-mail Correspondence	8/12/21
33	Case Officer to Agent	E-mail Correspondence	17/12/21
34	Agent to Case Officer	E-mail Correspondence	23/9/21

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35	Agent to Case Officer	E-mail Correspondence	27/9/21
36	Agent to Case Officer	Revised site plan	28/9/21
37	Agent to Case Officer	Revised plans	13/10/21
38	Agent to Case Officer	E-mail Correspondence	13/10/21
39	Agent to Case Officer	E-mail Correspondence	28/10/21
40	Agent to Case Officer	Revised site plan	29/10/21
41	Agent to Case Officer	E-mail Correspondence	10/11/21
42	Agent to Case Officer	Dismantling plans and Supporting Document	10/11/21
43	Agent to Case Officer	Revised site plan	17/11/21
44	Agent to Case Officer	E-mail Correspondence	22/11/21
45	Agent to Case Officer	E-mail Correspondence	22/11/21
46	Agent to Case Officer	E-mail Correspondence	22/11/21
47	Agent to Case Officer	Revised site plan	14/11/21
48	Agent to Case Officer	E-mail Correspondence	2/12/21

Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.

A background paper will include any item which the Planning Officer has relied upon in preparing the report and formulating his recommendation. This may include correspondence, reports and documents such as Environmental Impact Assessments or Traffic Impact Assessments.

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BACKGROUND PAPERS

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Planning Application No: PAP/2021/0265

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	27/4/21
2	Ancient Monuments Society	Consultation reply	22/9/21
3	SPAB	Consultation reply	22/9/21
4	Council for British Archaeology	Consultation reply	22/9/21
5	Historic England	Consultation reply	27/9/21
6	Council for British Archaeology	Consultation reply	30/11/21
7	SPAB	Consultation reply	10/12/21
8	Historic England	Consultation reply	13/12/21
9	Neighbour	Representation	16/9/21
10	Historic Buildings and place (working name for AMS)	Consultation reply	3/12/21

Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.

A background paper will include any item which the Planning Officer has relied upon in preparing the report and formulating his recommendation. This may include correspondence, reports and documents such as Environmental Impact Assessments or Traffic Impact Assessments.

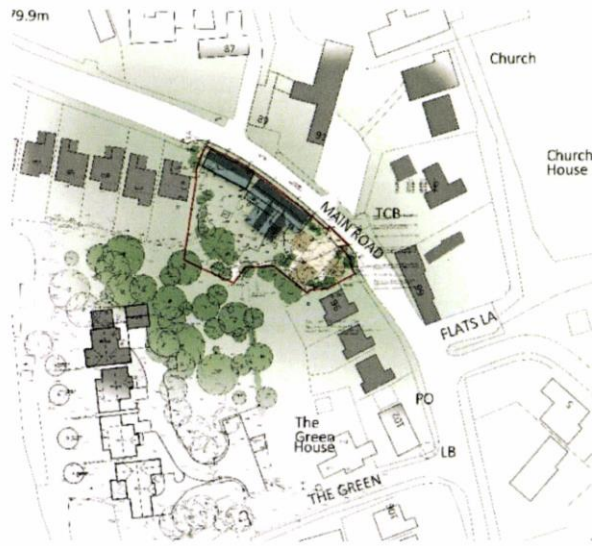
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APPENDIX A



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APPENDIX B

Proposed Elevations



Proposed Front Elevation
[Scale 1:100]



Proposed Rear Elevation
[Scale 1:100]

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Proposed Side Elevation
(Scale 1:100)

Existing Elevations



Existing Front Elevation



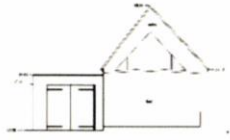
Existing Rear Elevation

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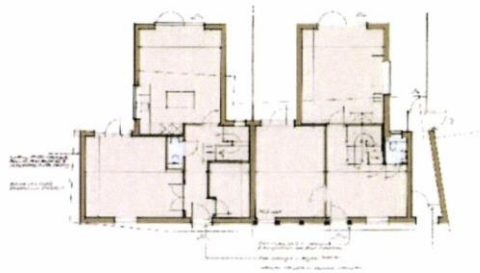
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Existing Side Elevation
(Scale: 1:100)

APPENDIX C

Proposed floor plans

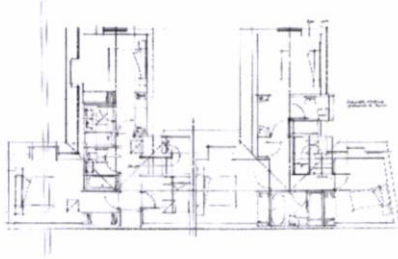


Proposed Ground Floor Plan
(Scale: 1:100)

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Proposed First Floor Plan
[Scale 1:100]

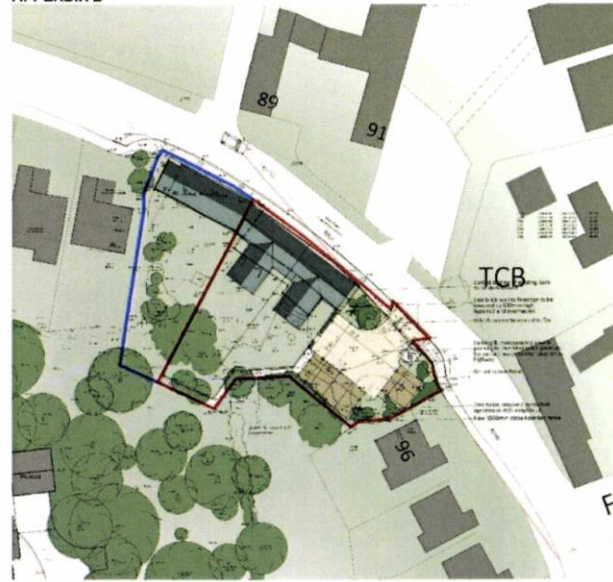
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APPENDIX D



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APPENDIX E

Responses from Historic England and Amenity Groups:

Historic England Consultation Replies:

THE HOMESTEAD, 82 MAIN ROAD, AUSTREY, CV9 3EG
Application No. PAP/2021/0265

Thank you for your letter of 10 September 2021 regarding the above application for listed building consent. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

Historic England Advice

Significance

The Homestead is listed at Grade II, as a brick cottage with attached outbuilding which contains substantial remnants of a timber frame which is probably 17th century, or possibly 16th century in part from the information available.

Impact

We wrote recently concerning the planning application for this scheme and would refer you to that letter which lays out our concerns regarding this scheme.

We remain concerned that despite the reference in the Heritage Statement to a building survey undertaken in March 2021 that does not appear to be a part of the documentation included on your authority's web site.

We remain at puzzled at the inadequacy of the Heritage Statement with respect to the understanding of the development of the building and the understanding of the list entry, and hence the level of harm. We cannot agree with the conclusion in that report as to the very low impact in heritage terms of the current application.

The survey referred to (of which have seen a copy) is disappointing in not being very thorough in terms of understanding the history of the site or the building.

No adequate measured survey has been undertaken of significant elements of the

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existing building (see the letter re the planning application).

We understand that there is an unfortunate planning history here and that there is a desire on the part of the local authority to ensure that the historic character of the site should be retained as far as that is possible.

There are no detailed drawings to understand how the proposed demolition will be undertaken and the making good of the Cottage. There is reference in the Heritage Statement to the need to rebuild the gable end of the Cottage but there is no clarity of the nature the demolition required, or of the new end elevation of the Cottage.

Policy

There is a requirement in the NPPF to understand the building and to justify the proposals when they are as extensive as this. If the barn is a part of the listed building as appears to be the case then that justification will need to be robust and realistic.

Position

There is no objection in principle to the conversion of the barn to residential accommodation but the scheme needs to pay more attention to the existing historic structure, and to retain some of it if at all possible.

There is as yet insufficient information to permit this scheme to proceed. Even if you consider that it is not part of the listed building (which is unlikely) the demolition of this structure will clearly require works to the remaining listed building which will require listed building consent. Further and better supporting documents are required, including a proper survey of the building as it now stands, accompanied by an understanding of the historic development of the structure.

We understand the difficulty of the planning history, but it should be possible to assemble adequate of documentation to provide a proper justification for demolition and reconstruction.

Recommendation

Historic England has concerns regarding the application on heritage grounds.

We consider that the application might be able to meet the requirements of the NPPF, but the issues and safeguards outlined in our advice above need to be addressed in order for the application to be acceptable.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

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THE HOMESTEAD, 82 MAIN ROAD, AUSTREY, CV9 3EG
Application Nos PAP/2021/0265 & PAP/2021/0261

Thank you for your letters of 17 November 2021 regarding further information on the above applications for listed building consent and planning permission. On the basis of this information, we offer the following advice to assist your authority in determining the applications.

Historic England Advice

Significance

The Homestead is listed at Grade II, as a brick cottage with attached outbuilding which contains substantial remnants of a timber frame which is probably 17th century, or possibly 16th century in part from the information available.

Impact

We wrote regarding the planning application on 22 September 2021 and the listed building consent application on 27 September. Since then two tranches of further information were added in November 2021.

We are puzzled at the inadequacy of the information supplied to date, particularly the lack of a detailed measured survey of the significant elements of the structure to be demolished, particularly the timber framed structure. At the bare minimum that should include a detailed measured survey to the wall framing and of each of the trusses forming the remains of the timber framed structure. This should be accompanied by an appropriate analysis of what information that reveals about the development of the building.

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The survey does not provide an understanding of the building with no measured survey having been undertaken of significant elements. Drawings of the trusses drawings and a longitudinal section would considerably enhance that. There has been proper consideration of the construction taking note of such elements such as the upper faces of the trusses: a key to understanding any timber-framed structure. In addition, the framing of the barn seems to be associated with a very substantial stone plinth.

We understand that there is an unfortunate planning history here and that there is a desire on the part of the local authority to ensure that the historic character of the site should be retained as far as that is possible. However, although there a brief structural condition report survey indicating that the building is undoubtedly in poor condition, that does not demonstrate the state of the timbers.

There are no detailed drawings to understand how the proposed demolition will be undertaken. For example, the 'as-existing' shows that despite an identifiable truss line there is apparently solid masonry which extends beyond that line in the gable end of the house that will be left in situ following the proposed demolition.

How will the remaining building which was the house most recently be finished pending the rebuilding the structure being demolished as a part of this application?

Policy

There is a requirement in the NPPF to understand the building and to justify the proposals when they are as extensive as this. If the barn is a part of the listed building, as appears to be the case, then that justification will need to be robust and realistic.

Position

There is no change in our overall view of the proposals from September when wrote previously. We have no objection in principle to the conversion of the barn to residential accommodation but the scheme needs to pay more attention to the existing historic structure, and to retain some of it if at all possible.

There is as yet insufficient information to permit this scheme to proceed. The proposed necessitates to the remaining section which need to be resolved and included in an application.

Further and better supporting documents are needed, including a measured survey of the building as it now stands, accompanied by an understanding of the historic development of the structure. That will need an appropriately experienced consultant to deliver a more complete understanding of the historic fabric.

We that there is a difficult planning history, but it should be possible to assemble adequate of documentation to provide a justification for at least partial demolition. At

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the same time there needs to be a convincing scheme for the reconstruction of the section to be demolished. That could help to justify what is now being described as dismantling prior to a scheme for a new building incorporating some of the historic fabric.

Recommendation

Historic England has concerns regarding the applications on heritage grounds.

We consider that the application might be able to meet the requirements of the NPPF, but the issues and safeguards outlined in our advice above need to be addressed in order for the application to be acceptable.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

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Consultation replies:

**Ancient Monument Society (working name is historic buildings and places)
consultation reply**

Re: The Homestead, 82 Main Road, Austrey, CV9 3EG
Application Ref: PAP/2021/0265

Thank you for consulting us on this application. The Ancient Monuments Society objects to this application for the demolition of the existing grade 2 listed barn attached to The Homestead, and construction of two new dwellings. We have objected to the associated full planning application (PAP/2021/0261).

The application fails to adequately recognise and consider the significance of the single storey barn element which is described in the [listing description](#) as “*Left range is of one storey. Stable and 2 plain doors. Late C20 three-light casement on right. Left return side has timber-framed gable. Rear is irregular.*”

Given this is an integral part of a listed building, the AMS strongly disagrees with the assertion on p4 of the Heritage Statement that the complete loss of the barn would be ‘*less than substantial (lower end of range) harm to the heritage significance of the Homestead (Grade II) and its setting.*’ Nor the claim that the ‘*existing barn does not currently positively contribute to the setting of the nearby listed building.*’ – which we assume is referring to the other half of the building described in the listing description. We also dispute the claim in Section 2.4 – Historical Significance that the original external brickwork and timber framing of this C17 building are considered to be of low or neutral significance.

Clearly the loss of half a listed building would result in substantial harm. Photos available online show it is a characterful part of the overall building, with its exposed timber frame making quite a contribution to the streetscape. We also note that the barn end of the building has been allowed to fall into a poor state of repair since photos available on Google Streetview in 2012.

The justification for demolition is due to mid-C20 works which removed part of the structural timber framework at ground level within the cottage to provide for a bathroom and the need to rebuild the eastern end gable to the cottage to make it stable.

While a structural statement has been provided, there is no evidence the structural framework cannot be repaired/ reinstated without demolishing the half of this listed building, or if it can be repaired with only minor demolition, which is much more likely. It certainly has not been demonstrated that the barn itself is beyond repair and that it cannot be restored and adapted for a new viable use.

We also find that the application has failed to demonstrate that saving the domestic half of this listed building would result in a greater public benefit than repairing and restoring the whole listed building.

Further, should the barn be demolished, the two replacement cottages are significantly larger than the existing barn, and this – on top of the impact caused by the loss of the barn – and this over dominance of

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what is currently a subservient end of the building, would greatly harm the significance and setting of the remaining half of The Homestead, as a former small holder farm.

The NPPF (2021) at paragraph 199 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."* Paragraph 201 states: *"Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, 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..."*

We therefore recommend this application is refused for failing to meet the requirements of Section 16 of the NPPF (2021) and the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

I would be grateful if the AMS could be informed of the outcome when this becomes available.

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Re: The Homestead, 82 Main Road, Austrey, CV9 3EG
Application Ref PAF/2021/0261 (Amended plans November 2021)

Thank you for re-consulting Historic Buildings & Places. We objected to the initial application for this site in September 2021 under our former name - the Ancient Monuments Society. We have reviewed the amended documentation and continue to **object** to the application.

In our view, there still appears to be a fundamental lack of understanding in the additional documentation provided that this application involves the demolition of one half of a grade II listed building, which would result in substantial harm to a designated heritage asset.

The application continues to assert that the cottage that forms the northern half of the building is more important than the barn that forms the other half, with no clear justification for this statement.

Part of the public value of heritage assets is the contribution they make to our understanding and interpretation of the past. The structure as a whole is listed and its architectural characteristics, historic building fabric, and the historic relationship and significance of the barn and cottage as part of a former agricultural smallholding are at the heart of its overall significance as a heritage asset.

We note the brief two-page statement provided by civil engineers Diamond Wood and Shaw recommends demolition of the entire barn on structural grounds, despite the Design and Access Statement and accompanying plans identifying the compromised gable and truss between the barn and cottage and the barn as the primary reason for the structural issues in this building.

A full survey and structural assessment by a suitably qualified conservation specialist with accreditation for working on listed buildings is required, particularly given the recommendation provided will result in substantial harm.

We also reject the suggestion that demolishing the barn to construct two new dwellings is necessary as enabling development. This does not meet Historic England's guidance on enabling development, as the new housing doesn't seek to secure the conservation of the heritage asset, rather it seeks to replace half of it.

The NPPF (2021) at paragraph 199 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."* Paragraph 201 states *"Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, 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..."*

We therefore recommend this application is refused for failing to meet the requirements of Section 16 of the NPPF (2021) and the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

I would be grateful if we could be informed of the outcome when this becomes available.

5i/315

6C/62

5d/80

9c/71

Consultation Reply:

Council for British Archaeology consultation reply

The Homestead, 82 Main Road, Austrey, Warwickshire, CV9 3EG. Application No. PAP/2021/0261 and PAP/2021/0265.

Thank you for consulting the Council for British Archaeology (CBA) on the above case. Based on the information supplied with this application, we offer the following observations and advice to assist your authority in determining the application.

Summary

The CBA object to this application which would result in a substantial level of harm to a Grade II Listed building without the requisite justification. This application fails to meet the requirements of Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and paragraphs 194, 195, 199, 200 and 201 of the NPPF. We strongly recommend that this application should be withdrawn and revised or otherwise refused.

Significance

The national importance of Homestead is established by its designation as a Grade II Listed building (NHLE List number 1365187). It dates from the 17th century and takes the form of a modest agricultural small holding with attached barn. The listed building has historical and evidential values relating to the development of agricultural holdings and the historical development of the village, to which it makes a positive contribution in terms of character.

The basis for any demolitions within a designated site should be an assessment of the significance of those aspects of the site which will be directly impacted on by the proposals, as well as any implications for the setting of other listed building from the proposal. Demolition equates to total loss, or substantial harm in the terms of the NPPF. This requires clear and convincing justification as well as the application evidencing that "great weight" is attributed to the conservation of the site's significance within any proposals.

Comments

The CBA note the detailed and authoritative comments made by the SPAB and the Ancient Monument Society (AMS) in regard to this application. As these tally closely with our own view of these proposals, we do not propose to comment separately in detail. However, we would like to

5/316

6C/83

5d/81

add our support to the comments made by the SPAB and the AMS, in particular with reference to the fact that the barn proposed for demolition is an integral part of the Listed building. Its demolition would therefore amount to substantial harm, in the terms of the NPPF. Such demolition is not justified within the associated documentation and would in fact be contrary to paragraphs 199, 200 and 201 of the NPPF as well as Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990. We further echo the SPAB's observation that paragraph 196 of the NPPF may be pertinent to this application.

A detailed structural survey should be sought to establish how minimum intervention into the historic fabric could stabilise the eastern gable of the domestic end of the listed building without the currently proposed level of demolition. An alternative scheme for the conjoined barn should seek to repair and adaptively reuse the existing structure in order to meet the requirements of planning legislation, policy and guidance for the appropriate management of listed buildings. Proposals should be set out in a level of detail that demonstrates a conservation led methodology towards the listed building, which looks to preferentially repair rather than replace historic fabric.

Recommendations

The CBA object to this application due to the substantial level of harm that would be caused to the grade II listed building. This stems from a lack of assessment of the significance of the conjoined barn as an integral component of the listed building. As such we believe this application to be contrary to the requirements of Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and paragraphs 194, 195, 199, 200 and 201 of the NPPF. We strongly recommend that this application should be withdrawn and revised. Failing that we believe your LPA should refuse this application.

I trust these comments are useful to you; please keep the CBA informed of any developments with this case.

5i/317

6C/64

5d/82

9c/73

The Homestead, 82 Main Road, Austrey, CV9 3EG. PAP/2021/0265

Dear Ms Wallace,

Thank you for re-consulting the Council for British Archaeology (CBA) on the above application.

The CBA have previously registered a strong objection to this application which entails the demolition of the conjoined barn at the Grade II Listed The Homestead. Whilst we acknowledge that revisions have attempted to reuse some elements of the historical building fabric from the barn within the proposed new build elements, it remains the case that Listed Building Consent is sought for the demolition of 50% of a listed building. The loss of the agricultural barn, which evidences The Homestead as a small holding dating from the 17th century, would amount to substantial harm in NPPF terms. The CBA fundamentally disagree with the associated Heritage Statement and maintain our strong objection to this application.

Proposals are led by a need to repair / rebuild a gable wall between the domestic and agricultural ends of the listed building, following harmful 20th century building works that have compromised its structural integrity. As we stated in our previous letter of 22/9/21 an alternative means of rectifying this damage should be explored. This should seek to repair the wall without requiring the demolition of the barn. A structural engineer with experience of historic buildings and conservation techniques for their repair is essential in assessing this work. It would also only be the informed opinion of a structural engineer with these specialisms that could justify the proposed quantity of demolition as being necessary and meet the requirements of paragraph 200 of the NPPF. This states that *"Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional."* At present a brief assessment of the barn structure has been carried out by Diamond Wood and Shaw, whose professional expertise and interest as structural and civil engineers is in "the behaviour of reinforced concrete and steel structures, multi-story construction, the development of public buildings, offices, schools and hotels on inner city and brownfield sites." [Text taken from their website].

To be clear, The Homestead's designation as a Grade II Listed building identifies it as nationally important. The statutory duty to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess is legislated in section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The impact these proposals would have on the historic interest, and significance in NPPF

5i/318

6C/85

5d/83

9c/74

terms, makes them unacceptable for a listed building. The structural integrity of the barn is clearly heavily compromised, however appropriate professional expertise has not demonstrated that the structure is beyond repair. As previously stated, the barn element constitutes 50% of the Listed building. Preferential repair of the structure represents a considerably less harmful alternative to its demolition and must be adequately explored. The photographic record of the building shows a marked deterioration in the site since 2017. The CBA therefore reiterate that paragraph 196 of the NPPF may be pertinent to this application, which states that "Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision."

In principal the CBA would support the adaptive reuse of this conjoined barn into a separate dwelling from the farmhouse. This could be justified as a means by which the structure's sustainable future would be secured. This adaptive reuse should be informed by an understanding of the barn's significance as a multi-phased agricultural unit and embrace the archaeological interest in its historical repair whilst adding a contemporary phase of repair and reuse. To minimise harm to the barn's significance a conservation led methodology should inform all works to the historical structure. The CBA would be sympathetic to the need for a modest extension in order to achieve a proportionate living space to the area of the plot. However, demolishing the extant listed 17th century barn for the construction of two new build dwellings is contrary to the requirements of the of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as well as multiple paragraphs in section 16 of the NPPF. We therefore strongly object to the proposed scheme and recommend that this application should be either withdrawn by the applicants or refused by your LPA.

The CBA believe that two new units would be an over development of the site. We also feel that the overtly domestic design of the proposed western elevation is inappropriate for a listed agricultural building. It would be at odds with the site's significance as a historic small holding.

I trust these comments are useful to you; please keep the CBA informed of any developments with this case.

5i/319

6C/66

5d/84

Consultation reply:

SPAB consultation reply

Re: Dismantling of the existing Grade II listed barn and re-build to form two new dwellings.

Dear Fiona

Thank you for consulting the SPAB regarding the proposed works to the Grade II listed property The Homestead in Austrey. This case was taken to our Casework Committee earlier today and we are now writing to convey their opinion.

The Proposals (taken from the Heritage Statement)

The assertion from the applicant is that the single storey barn attached to the cottage is not part of the listing nor is it curtilage listed. The intention is therefore to demolish the 'dilapidated' barn and to replace it with two new 'barn-style' terraced cottages.

The reasoning given is that in the mid-20th century the existing cottage was poorly converted to accommodate a new ground floor bathroom which is within the end of the barn attached to the cottage. These works included the removal of part of the structural timber framework at ground level to provide a larger bathroom. This part of the cottage now needs to be rebuilt to provide for a structurally sound eastern gable end. The dismantling of the barn will provide access to allow the eastern end of the cottage to be rebuilt to safely carry the weight of the cottage roof and be rebuilt as an end gable.

The extent of the listing

We strongly disagree with the assertion that the single storey barn is not listed. Not only is it physically attached to the listed cottage, sitting very comfortably as part of the group, but it is also quite clearly identified within the listing description. Therefore this application is actually for the demolition of a very significant part of a Grade II listed structure and consequently we assume that Historic England have also been consulted. This also means that the incorrect answers have been given by the applicant on the application form to the questions in sections 6 and 7.

The applicant may wish to look at Historic England's guidance on Listed and Curtilage Listed Buildings: <https://historicengland.org.uk/images-books/publications/listed-buildings-and-curtilage-advice-note-10/>

The current condition of the barn and cottage

Photographs of the property on Streetview in 2012 show the buildings in what appears to be reasonable condition, and it is also evident what an attractive property it is and how the group contributes to the local street scene. However, the Heritage Statement includes images taken in 2021 which show the barn's roof and much of the interior to now be

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5d/85

9c/76

missing, with a blue plastic sheet over parts of it and the whole structure appearing to be in a very sorry state of repair. There is no explanation as to what has happened or why the roof has been removed, but this has clearly contributed to the decay of the surviving timber frame as very little effort appears to have been made to protect it. We noticed applications in 2017 relating to repairs to the cottage and presumably the barn, so was the removal of the roof the start of these works which were never completed? With no other information, the Committee questioned whether paragraph 196 of the NPPF (July 2021) should be taken into account here?

Although the proposals state that the gable end wall of the cottage needs to be rebuilt, no evidence is provided to show there are structural issues, nor that the demolition of the barn is the only way in which to address this. There are no plans / photographs of the cottages interior, and no specification for the proposed repairs.

The Heritage Statement

The Heritage Statement is a very poor document with a lot of information missing and it clearly does not meet the requirements of the NPPF, July 2021, paragraph 194. There are very few photographs (only one of the barn's interior), no statement of significance, no assessment of the historic fabric, and absolutely no justification for the proposals which goes against the NPPF, July 2021, paragraph 200. We would have expected the various options to have been clearly discussed, and if the structure is considered to be beyond repair, this needs to be fully justified by a comprehensive report from a conservation accredited structural engineer. No report has been provided apart from a brief two page letter, which is unsuitable.

Historic England have produced guidance on writing a Heritage Statement which can be found here: <https://historicengland.org.uk/images-books/publications/statements-heritage-significance-advice-note-12/>

On pg 4 of the Heritage Statement it says that the proposals *'will not significantly adversely affect the heritage significance of the Listed Building'* – how can this be the case if over half of the heritage asset is proposed to be demolished? We also utterly disagree with the comment, again on pg 4 of the Heritage Statement, that says *'it is accepted that the loss of the barn range is regrettable. However, the proposed works, therefore, whilst resulting in less than substantial (lower end of range) harm to the heritage significance of the Homestead (Grade II) and its setting, are balanced by the public benefit gained through the conservation of the key element of the heritage asset – the timber framed cottage.'* Unjustified demolition on this scale must be classed as substantial harm and has to be measured against the tests in the NPPF, July 2021, paragraph 201. A scheme of recording is not considered to be appropriate mitigation against the loss of a significant portion of a designated heritage asset.

From all the information available, there is absolutely nothing to suggest that this barn cannot be sensitively repaired and potentially converted into a single dwelling, subject to details. Therefore there is no justification for its total demolition.

Proposed replacement properties

We strongly disagree with the Heritage Statement (pg 4) that says *'the existing barn does not currently positively contribute to the setting of the nearby listed buildings and heritage assets and so the replacement of this barn range with the two terraced barn-style cottages will not adversely affect the settings of these heritage assets.'* The current arrangement of the cottage and attached barn is a very pleasing and positive addition to

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9c/77

the streetscape. Although the proposals show some consideration has been given to retaining a semblance of a 'barn like' appearance to the front elevation, they would be a very poor replacement for the historic barn. The rear elevation is entirely unsuitable and would have a negative impact on the adjacent historic cottage. The scale of the proposed houses is far too large and the overall composition would be very detrimental to the street scape. It is very unlikely that we would support this scheme independently even if no demolition were involved.

Summary

We **very strongly object** to this application which contravenes many aspects of the NPPF, and recommend that it is **refused**. Should an application for the sensitive repair and conversion of the barn while retaining as much of the existing historic fabric as possible be submitted, accompanied by an appropriately detailed Heritage Statement and report from a conservation accredited structural engineer, we will be happy to look at it and provide further comments.

We hope these comments are helpful to you. We would appreciate it if you would inform us of the council's decision regarding this application.

5/322

6C/69

5d/87

9c/78

Re: Listed Building consent for dismantling of existing barn and construction of two dwellings and parking. Amended plans / amended description of development.

Dear Fiona

Thank you for re-consulting the SPAB regarding the proposed works to the Grade II listed property The Homestead in Austrey. We first commented on this application on the 21st September 2021 when our Casework Committee strongly objected to the proposals. The revised application was taken to our Casework Committee on Tuesday 7th December 2021 for further discussion and their comments are as follows:

The Proposals

We are pleased to see that the barn is now being recognised by the applicant as part of the listing but the documentation makes it clear that the applicant still considers it to be of very minimal significance when compared to the attached cottage, although no supporting evidence is provided. However, it is clear that the barn is considered to be of national significance by virtue of the fact that it is included in the listing description for The Homestead. Therefore, the application is still requesting consent to demolish half of a listed structure, although we note the intention to reuse some parts of the existing timber framing and roof structure.

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that: *'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, 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 opposed to the first application, this revision is very clear that the applicant considers the cottage to be of greater significance than the barn and is therefore repairing it, which is to be welcomed. However, the costs of doing this are higher than expected, and therefore the demolition of the barn and the redevelopment of the site into two cottages as an enabling development is considered necessary in order for the repairs to the cottage to be completed. The income from the enabling development would be used to cover the costs of the works to the cottage.

Enabling Development

The Committee noted that the test for enabling developments is high and that in their opinion it was very unlikely that these proposals would be able to meet them. In the NPPF, 2021, paragraph 201 notes that:

208. Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which

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5d/88

9c/79

*ownership is demonstrably not possible; and
d) the harm or loss is outweighed by the benefit of bringing the site back into use.*

The structural engineers that are involved at present do not appear to have experience working with historic and in particular timber framed buildings. Therefore, it is imperative that a full structural report from a Conservation Accredited Structural Engineer should be provided giving their recommendations along with a detailed repair specification before any decisions can be made about the future of the barn.

Summary

The SPAB maintain their **very strong objection** to these proposals which are still to demolish half of a listed structure. Although some attempt has been made to incorporate parts of the salvaged barn into the new design for the cottages, we do not consider that the proposed demolition is justified nor has it met the tests laid out in the NPPF, 2021 regarding substantial harm or suitability as an enabling development.

The SPAB encourages the applicant to securely support the barn, protect it from the weather and to engage the services of a Conservation Accredited Structural Engineer to inspect it and provide a detailed repair specification. Consideration should be given to sensitively converting the barn into a single-storey dwelling, and we would be happy to consider a small extension to the rear, subject to details.

As it stands we are unable to support this application and strongly recommend that it is withdrawn or refused.

We hope these comments are helpful to you.

5i/324

6C/71

5d/89

Appendix F



5/325

6C/72

5d/90



5i/326

6C/73

5d/91



5/1327

8C/74

5d/92

General Development Applications

(9/d) Application No: PAP/2020/0638

Homestead, Wishaw Lane, Middleton, B78 2AX

Retrospective application for storage shed and storage area including change of use of land, for

Mr Russell Horton

The Site

The site is situated adjacent to the vehicle access of Atlantic Nurseries on Wishaw Lane Middleton. The Homestead is a residential property, which over time has been extended to the side. This includes a garage use within an industrial-style unit. The vehicle maintenance workshop is within this building with parking to the front and rear. The building is some 169 square metres in floor area and 4.5 to its ridge.

The Homestead is one of a group of three terraced properties facing Wishaw Lane. This group is isolated and stands in open countryside about a kilometre south-east of the village of Middleton. There is a detached house to the south of the site, otherwise the area is agricultural in character. The lane here is a single carriageway country lane.

A general location plan is at Appendix A

The Proposal

This is a retrospective application to retain a second shed and an enlarged parking area at the rear of the house and the existing garage building. The building measures 12 by 6 and is 3 metres to its ridge. It would be used to store smaller agricultural machinery used mainly for gang mowers to carry out maintenance within the parish. The parking area is used as an overflow area in connection with the garage use.

The original submission included a larger parking area, but during the course of the application that has been reduced such that there would be a landscaped area between the site and Atlantic Nurseries

This is shown at Appendix B.

Background

Planning permission was granted under reference PAP/2011/0597 for the original building to the side of the house. This is a "personal" permission with limits on the operational hours of the garage to ensure it does not impact on the adjacent residential properties.

Development Plan

The North Warwickshire Local Plan - LP1 (Sustainable Development), LP2 (Settlement Hierarchy), LP3 (Green Belt), LP11 (Economic Regeneration), LP13 (Rural employment), LP14, (Landscape), LP16 (Natural Environment), LP29 (Development Considerations), LP30 (Built Form)

Other Material Planning Considerations

National Planning Policy Framework 2021 – (“NPPF”).

Consultations

Warwickshire County Council as Highway Authority - It objects as it considers that there will be an intensification of the access which is already sub-standard because of the lack of visibility and the character of the surrounding network.

Representations

Middleton Parish Council – It supports the proposal:

- This is an important service for local people.
- The building houses grass cutting equipment
- There are no additional highway movements

Observations

a) Green Belt

The site lies within the Green Belt. Inappropriate development here is defined as being harmful to the Green Belt and thus carries a presumption of refusal. What is or is not inappropriate is defined in the NPPF. Members will be aware that the construction of new buildings is inappropriate development. There are exceptions to this approach.

This proposal seeks the retention of a new building used for agricultural machinery storage. However, this does not fall into the exceptions as there is no direct association with an agricultural holding or land. The building is thus not appropriate development in the Green Belt. The change of use would also be inappropriate development unless it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

There is no definition of openness in the NPPF, but national guidance advises that it is made up of four elements – spatial, visual, the degree of activity associated with a development and whether the development is permanent or not. There are five purposes for including land within the Green Belt and in this case the most significant one is to safeguard the countryside from encroachment.

There has been a loss of openness here as the rear parking area has extended by fact and by degree into open land as can be seen from the two aerial photographs at Appendix C. There has thus also been some loss of countryside.

In short therefore the proposal when treated as a whole represents inappropriate development in the Green Belt.

It is now necessary to assess the actual degree of harm to the openness of the Green Belt as opposed to the definitional harm set out above.

In respect of the building then it is relatively small and adjacent and close to other lawful buildings – the residential properties to the east, the garage workshop and the extensive nursery and storage buildings to the rear at Atlantic Nurseries. The building and the parking area are also set back from the road. These factors limit its visual and spatial impact. In respect of associated activity then the site is already used as a garage workshop adjacent to the access to Atlantic Nurseries. As a consequence, there would be little material increase in activity in the locality. The amendment made during the course of dealing with the application to reduce the parking area and to add a landscape buffer will mitigate the loss of openness here. In conclusion therefore, based on all of these matters, it is considered that the actual Green Belt harm caused would be limited.

b) Other harms

i) Highways

Local Plan policy LP13 supports development in situations whereby there is sufficient capacity within the highway network to accommodate the traffic generated. Local plan policy LP29(6) requires safe and suitable access to be provided for all users. The NPPF makes it clear that development should only be refused on highway grounds where would be an unacceptable impact on highway safety or the residual cumulative impacts of the scheme are severe.

The overriding consideration of the Highway Authority is the potential intensification of the access. It is considered that the development is ancillary to the existing garage to a large extent – the overflow parking area - and that the storage use is relatively low key given that the machinery would not be in constant use. This is supported by the Parish Council which would normally be expected to have concerns about increased traffic on the lanes through the Parish. Additionally planning condition can be used to control activity here. In these circumstances, whilst the County Council concern is understood, it is not considered that the proposal would lead to “severe” impacts.

ii) Residential Amenity

The building is sited sufficient distance away from the boundary with residential properties. They are visible but at sufficient distance away not to cause significant harm. Environmental Health do not consider that these would cause amenity issues either. It is also of weight that there have been no objections from these occupiers.

c) The Harm Side of the Planning Balance

The harm side of the planning balance therefore amounts to the limited actual Green Belt harm identified earlier.

d) Other Material Planning Considerations

In respect of the proposal for the applicant advances arguments revolving around economic provision. A letter of support has been provided in support of the proposal from the Parish Council taking into account the personal circumstances of the applicant. In short, the existing workshop use provides a valuable local service and the machinery in the second building use used throughout the Parish to maintain its land. This would accord with Local Plan policies LP11 and LP13 both of which support the delivery of employment generating uses and diversification. The latter also indicates support and encouragement for established and lawful rural businesses to expand where this has no significant and demonstrable harm in particular on the character of the area.

e) The Final Planning Balance

Given that the actual Green Belt harm is limited and that planning conditions can be attached to control the scale of the use here and the provision of a landscaped buffer, it is considered that the compliance with Local Plan policies LP11 and LP13 in respect of the support given to a valued local service, would clearly outweigh that harm.

RECOMMENDATION

That planning permission be GRANTED subject to the following conditions:

1. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, as amended, or any order revoking and re-enacting that Order with or without modification, the building hereby shall only be used for the storage of agricultural machinery – gang mowers.

REASON

The use of the building for other uses could lead to the intensification in the use of a substandard access, contrary to the best interests of highway safety.

2. Within three months of the permission hereby approved, details of the landscaping buffer and the removal of the hardstanding as shown on the approved plan shall be submitted to and approved in writing by the Local Planning Authority. Only the approved details shall then be implemented on site.

REASON

In the interest of securing biodiversity enhancement and the visual amenities of the area.

3. Within six months of the permission hereby approved, the soft landscaping and removal of hardstanding approved by condition 2 shall be carried out and retained as such thereafter.

REASON

In the interest of securing biodiversity enhancement and the visual amenities of the area.

4. The outside storage hereby approved shall only be used for purposes incidental to the existing garage, known as RJB motors, and shall not be sold-off, let or subdivided.

REASON

The use of the land as a separate use could lead to the intensification in the use of a substandard access, contrary to the best interests of highway safety.

5. There shall be a maximum of 15 vehicles parked or stored on the outside storage area hereby approved at any one time.

REASON

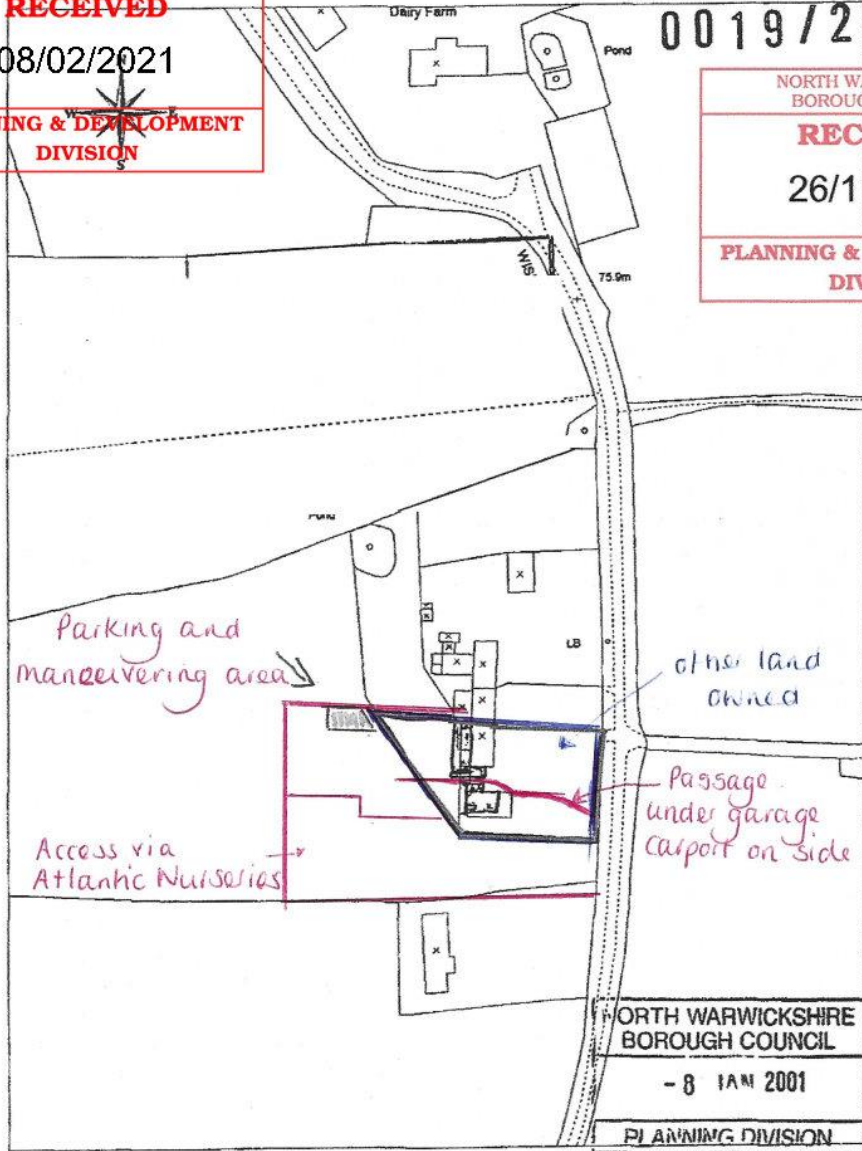
In the interests of the amenities of the area and to protect the openness of the Green Belt.

APPENDIX A

PAP/2020/0638

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The Homestead Wishaw Lane Middleton scale 1/1250

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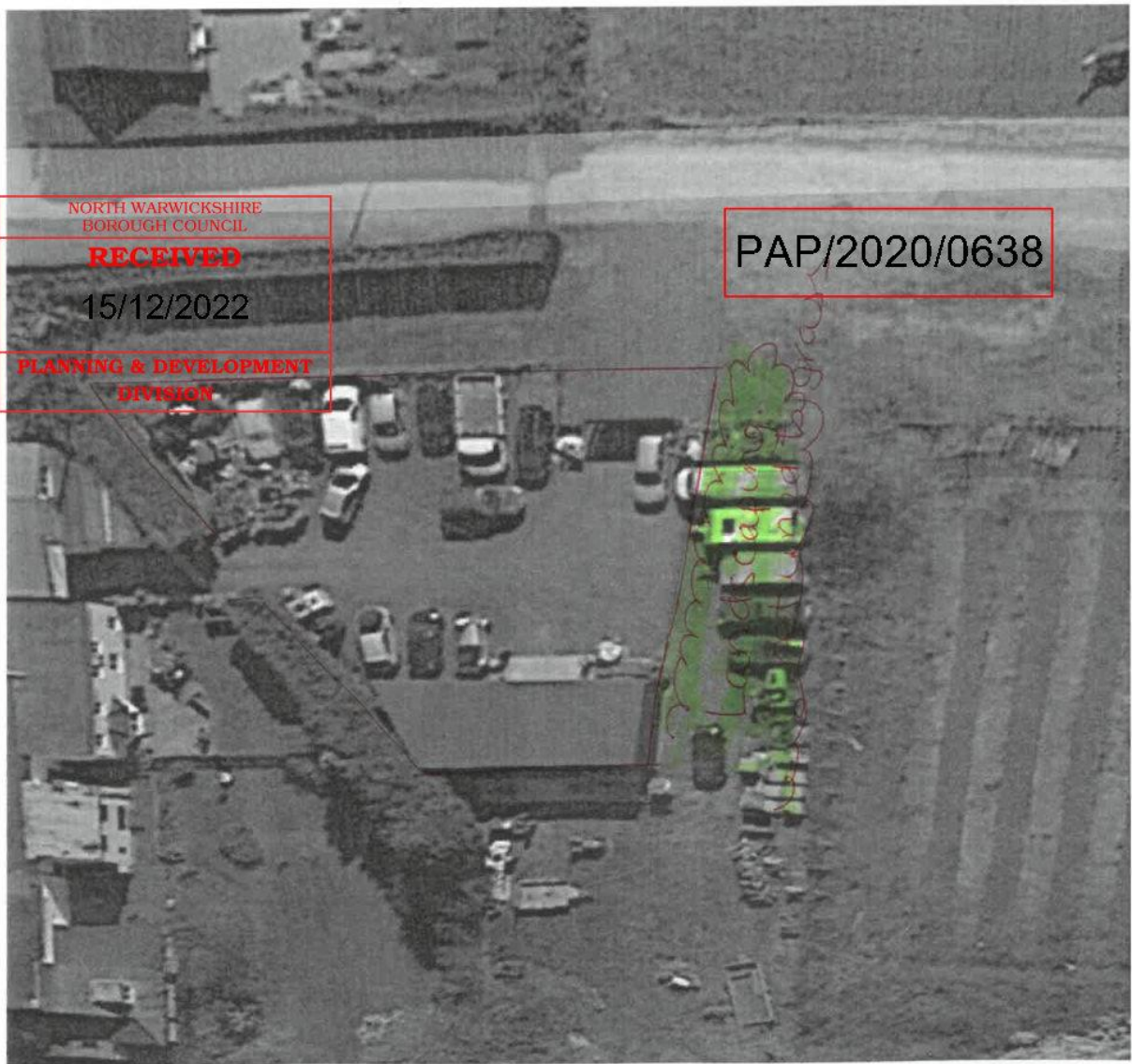
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APPENDIX B



APPENDIX C

Current position 2022



2016 position



General Development Applications

(9/e) Application No: PAP/2022/0508

6, Boulters Lane, Wood End, Atherstone, CV9 2QE

Proposed single storey rear extension, for

Mr D Milligan

Introduction

This application was referred to the last meeting of the Board, but a determination was deferred in order that Members could visit the site. That has now taken place and the case is returned to the Board.

For convenience the previous report is attached at Appendix A and a note of the site visit is at Appendix B

Observations

At the previous meeting Members heard from an objector who referred to the unusual garden arrangements at the rear of the properties in the locality of the site. Members were able to view this on their site visit, as they also visited the objector's property.

Recommendation

As set out in Appendix A

General Development Applications

(7/a) Application No: PAP/2022/0508

6, Boulters Lane, Wood End, Atherstone, CV9 2QE

Proposed single storey rear extension, for

Mr D Milligan

Introduction

This application is reported to the Board because the applicant is employed by North Warwickshire Borough Council.

The Site

The application site is a two storey, end terraced property and lies within the Wood End Development Boundary, as identified in the adopted North Warwickshire Local Plan 2021. The surrounding street scene is residential with a shared parking area to the south of the property.

A location plan is at Appendix A

The Proposal

Planning Permission is sought for a single storey rear extension.

The existing elevations are at Appendix B and the proposed elevations are at Appendix C

The Proposed materials are painted render to match the render of the existing property and single ply membrane for the flat roof.

Representations

An objection has been received from a neighbouring occupier, concerned with the following:

- Loss of light to habitable windows
- Overbearing sense of enclosure
- Use of flat roof rather than pitched roof
- The extension extending 5 metres from the rear elevation
- Drainage for neighbouring properties

Development Plan

The North Warwickshire Local Plan (2021) - LP29 (Development Considerations) and LP30 (Built Form)

7A/1

Other Relevant Material Considerations

National Planning Policy Framework 2021 - (the "NPPF").

Supplementary Planning Guidance: A Guide to the Design of Householder Developments (2003).

Observations

Local Plan Policy LP30 requires that all development in terms of its layout, form and density should respect and reflect the existing pattern, character and appearance of its setting. Although a flat roof design is generally discouraged for extensions, in this case the harm is minimal due to the extension being located to the rear of the dwellinghouse. The use of matching render will mean that the extension is sympathetic to the host dwellinghouse.

Local Plan Policy LP29 (9) states that developments should amongst other things avoid and address unacceptable impacts upon neighbouring amenities through overlooking, overshadowing, noise, light, air quality or other pollution.

It is considered that the impact on neighbouring amenities would not be more than reasonably expected given that the properties are terraced. The fallback position of permitted development rights can be considered material to analysing this application, because it allows the owner to build a 2-metre-high fence and or a 3-metre deep rear extension which is 4 metres in height, without requiring the submission of a planning application.

Therefore, the proposed extension which measures 5 metres from the rear elevation and 3 metres in height is not considered to be a significant increase above what the owners could do under permitted development, with the flat roof mitigating the impact of light lost.

The proposed route of drainage is indicated on the plans.

The proposal is thus in accordance with the Development Plan.

7A/2

9e/94

RECOMMENDATION

That planning permission be GRANTED subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and to prevent an accumulation of unimplemented planning permissions.

2. The development hereby approved shall not be carried out otherwise than in accordance with the site location plan, the existing and proposed floor plans and sections, titled 22-M86 Block Plan, 22-M86 Location Plan, 22-M86-01 Existing - Rev P1 and 22-M86-02 Proposed - Rev P4 received by the Local Planning Authority on 28 September 2022.

REASON

To ensure that the development is carried out strictly in accordance with the approved plans.

3. The new works shall be carried out with painted render of a similar style, colour and texture to those present on the host dwelling.

REASON

In the interests of the amenities of the area and the building concerned.

Notes

1. You are recommended to seek independent advice on the provisions of the Party Wall etc. Act 1996, which is separate from planning or building regulation controls, and concerns giving notice of your proposals to a neighbour in relation to party walls, boundary walls and excavations near neighbouring buildings. An explanatory booklet can be downloaded at <https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance>
2. The submitted plans indicate that the proposed works come very close to, or abut neighbouring property. This permission does not convey any legal or civil right to undertake works that affect land or premises outside of the applicant's control. Care should be taken upon commencement and during the course of building operations to ensure that no part of the development, including the foundations, eaves and roof overhang will encroach on, under or over adjoining land without the consent of the adjoining landowner. This planning permission does not authorise the carrying out of any works on neighbouring land, or access onto it, without the consent of the owners of that land. You would be advised to contact them prior to the commencement of work.
3. The developer is reminded that the Control of Pollution Act 1974 restricts the carrying out of construction activities that are likely to cause nuisance or disturbance to others to be limited to the hours of 08:00 to 18:00 Monday to Friday and 08:00 to 13:00 on

7A/3

Saturdays, with no working of this type permitted on Sundays or Bank Holidays. The Control of Pollution Act 1974 is enforced by Environmental Health.

4. Before carrying out any work, you are advised to contact Cadent Gas about the potential proximity of the works to gas infrastructure. It is a developer's responsibility to contact Cadent Gas prior to works commencing. Applicants and developers can contact Cadent at plantprotection@cadentgas.com prior to carrying out work, or call 0800 688 588
5. The proposed works may require building regulations consent in addition to planning permission. Building Control services in North Warwickshire are delivered in partnership with six other Councils under the Central Building Control Partnership. For further information please see Central Building Control - Come to the experts (centralbc.org.uk), and https://www.planningportal.co.uk/info/200187/your_responsibilities/38/building_regulations ; guidance is also available in the publication 'Building work, replacements and repairs to your home' available free to download from <https://www.gov.uk/government/publications/building-work-replacements-and-repairs-to-your-home>
6. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority
7. Radon is a natural radioactive gas which enters buildings from the ground and can cause lung cancer. If you are buying, building or extending a property you can obtain a Radon Risk Report online from www.ukradon.org if you have a postal address and postcode. This will tell you if the home is in a radon affected area, which you need to know if buying or living in it, and if you need to install radon protective measures, if you are planning to extend it. If you are building a new property then you are unlikely to have a full postal address for it. A report can be obtained from the British Geological Survey at <http://shop.bgs.ac.uk/georeports/> , located using grid references or site plans, which will tell you whether you need to install radon protective measures when building the property.

For further information and advice on radon please contact the Health Protection Agency at www.hpa.org.uk. Also if a property is found to be affected you may wish to contact the Central Building Control Partnership on 0300 111 8035 for further advice on radon protective measures.
8. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through quickly determining the application. As such it is considered that the Council has implemented the requirement set out in paragraph 38 of the National Planning Policy Framework.

7A/4

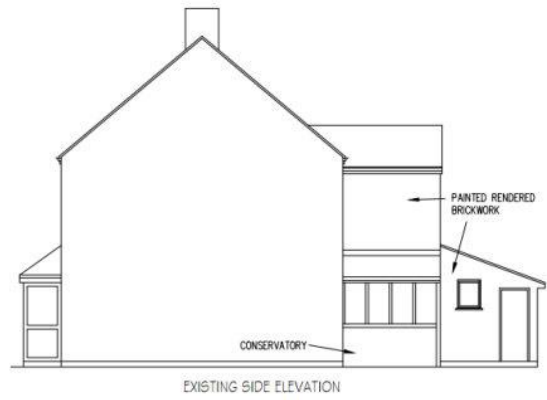
Appendix A



7A/5

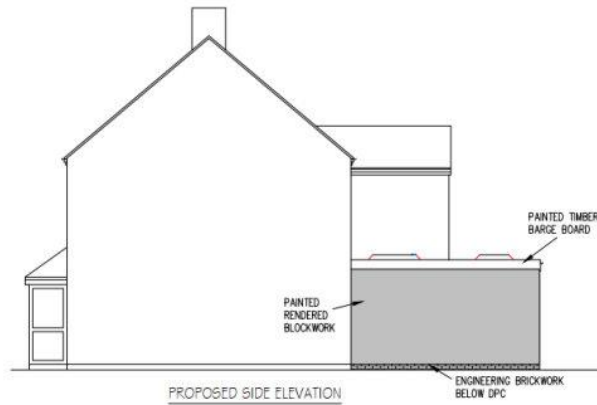
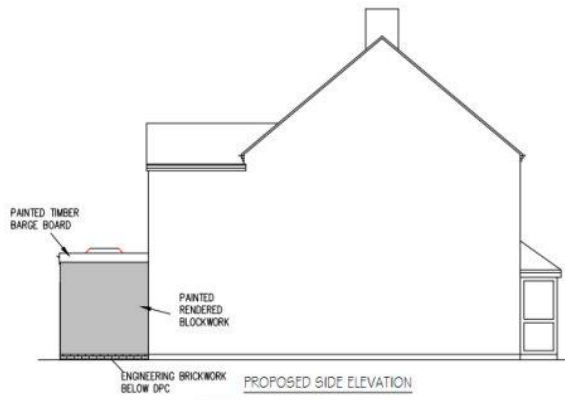
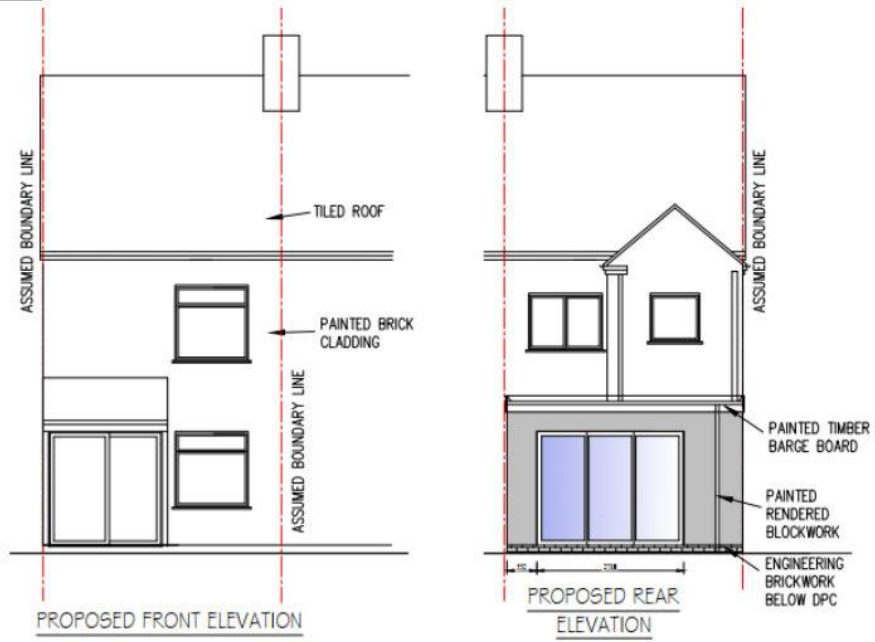
9e/97

Appendix B



7A/6

Appendix C



7A/7

APPENDIX B

PAP/2022/0508

6 Boulders Lane, Wood End, CV9 2QE

Site Visit – 16th December 2022 at 1030

Present: Cllrs Bell, D and M Humphries, Parsons, Phillips, Reilly and Simpson, the applicant and J Brown

1. Members were shown plans of the existing rear elevation of the property and of the proposals.
2. At the rear of the property, they were shown the extent of the rear garden, the new garage and the rear elevations of the houses beyond. The existing arrangements at the rear of number 4 were also pointed out.
3. The wooden fencing was noted together with the existing conservatory.
4. The extent of the proposals was outlined by indicating the height of the new replacement extension and also its depth back from the rear house elevation.
5. Members then entered number 4. The applicant was not present, but the owner accompanied Members.
6. Access was via the rear path.
7. Members could see the existing arrangements at number 4 and the extent of the replacement works at number 6 was also pointed out.
8. Similarly, the garage and more recent housing at the rear was noted.
9. Members also entered the rear lounge here so as to appreciate the amount of light currently entering that room
10. The visit concluded at around 1050

General Development Applications

(9/f) Application No: PAP/2022/0373

23, Dordon Road, Dordon, Tamworth, B78 1QW

Two storey side extension, with single storey side extension to current rear extension, for

Mrs Danielle Shaw

Introduction

This application was referred to the last meeting of the Board, but a determination was deferred in order that Members could visit the site. That has now taken place and the case returned to the Board.

For convenience the previous report is attached at Appendix A and a note of the site visit is at Appendix B.

Observations

At the previous meeting Members heard from an objector who referred to the relationship between the properties on the lower side of the site and particularly to the potential impact on the light entering the rear conservatory and lounge of a neighbouring property. Members were able to view this on their site visit as they also visited the objector's property.

A couple of matters need to be clarified.

Firstly, the two-storey element of the side extension ends at the rear elevation of the bungalow. It then continues as a single storey development along the side of the conservatory. This is illustrated on the plan in the previous Board report – see page 125 of Appendix A attached to this report.

Secondly, a single storey extension could be constructed to number 23 between it and the bungalow under permitted development rights. This would extend up to the common ownership boundary and be four metres tall. Given the difference in levels here, the height above the ground level of the bungalow would be close to five metres.

Recommendation

As set out in Appendix A.

General Development Applications**(7/h) Application No: PAP/2022/0373****23, Dordon Road, Dordon, Tamworth, B78 1QW****Two storey side extension, with single storey side extension to current rear extension., for****Mrs Danielle Shaw****Introduction**

This application is reported to Board due to the Local Ward Member concerned about potential adverse impacts to neighbouring residential amenities.

The Site

The application site is a two storey, detached property and lies within the Polesworth/Dordon Development Boundary, as identified in the adopted North Warwickshire Local Plan 2021. The surrounding street scene is residential with a mixture of dwellinghouses and bungalows of varying designs. The section of the road of this property is on a slope with the properties to the north being at a lower level. The properties also have a staggered building line.

The application property has a rear single storey pitched roof extension.

The property to the immediate north is a bungalow (number 21) with a separation distance of around 3.5 metres. Its ground floor is less than a metre lower than that of the application property. Whilst it has an equivalent rear elevation with number 23, its front elevation is set well forward of number 23. There is also rear conservatory and a window to a habitable room in its side elevation facing the application property. This window however faces the front garden and not the side elevation.

A general location plan is at Appendix A

Photographs at Appendices B and C illustrate the description above.

The Proposal

The plans to be determined are amendments to the original submission. That initial scheme attracted objections and the applicant responded by submitting the current revised proposals.

The existing elevations are shown at Appendix D. The ridge line height is around 7.5 metres

The original proposal was to raise the height of the whole property so as to utilise its new roof space incorporating two gable ends. The proposed ridge line height would have been around 8.2 metres. This is shown on Appendix E.

7h/117

The current plans show a proposal for a two-storey side extension, with a replacement single storey pitched roof rear extension. The existing ridge height would be retained but extended over the new side extension and the roof would have two hipped ends. The existing rear single storey extension would be replaced with a full width extension, no deeper than the existing but with gabled ends. This is shown on Appendix F.

Also attached at Appendix G is a diagram illustrating the description set out above.

Representations

Re-consultation took place on the amended plans and an objection has been received from neighbouring property concerned with the following:

- Overshadowing and overlooking due to the close proximity of the extension to their property.
- Reduced access to the side of their property for maintenance of roof and guttering.
- The design is not in-keeping with the character of Dordon Road, which has properties with well-defined spaces around them.

Development Plan

The North Warwickshire Local Plan (2021) - LP29 (Development Considerations) and LP30 (Built Form)

Other Relevant Material Considerations

National Planning Policy Framework 2021 - (the “NPPF”).

Supplementary Planning Guidance: A Guide to the Design of Householder Developments, adopted September 2003.

Observations

Local Plan Policy LP30 requires that all development in terms of its layout, form and density should respect and reflect the existing pattern, character and appearance of its setting. The design of the proposed extensions is sympathetic to the host dwellinghouse because they maintain the hipped and pitched roof design features and use matching materials. There is also space maintained around the property with the dwellinghouse set well back in the street scene.

Local Plan Policy LP29 (9) states that developments should amongst other things, avoid and address unacceptable impacts upon neighbouring amenities through overlooking, overshadowing, noise, light, air quality or other pollution. It is acknowledged that there will be an impact on the neighbouring property because it is a bungalow. However, that impact is not considered to be unacceptable for the following reasons:

7h/118

- The side window to number 21 would still face the application site's front garden with no new built development coming forward of the existing building line.
- There may be some additional shading of that window by the proposed side extension but that is at an acute angle and will have a hipped roof no taller than the existing.
- The two-storey element of the proposal would match the existing rear building line of number 21.
- There would be some loss of light to the rear conservatory, but this would not affect the outlook from that conservatory
- The proposed side extension would only run along half the length of number 21 meaning that the roof and guttering would still be accessible, if slightly reduced next to the extensions.

Overall, therefore it is considered the proposal is thus in accordance with the Development Plan.

Recommendation

That planning permission be GRANTED subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and to prevent an accumulation of unimplemented planning permissions.

2. The development hereby approved shall not be carried out otherwise than in accordance with the site location plan, the existing and proposed floor plans and sections, titled 23 Dordon Road Drawing 01 (Existing Plans & Elevations, Site Location Plan & Block Plan) received by the Local Planning Authority on 13 July 2022 and 23 Dordon Road Drawing 02 (Proposed Plans and Elevations, Site Location Plan & Block Plan) received by the Local Planning Authority on 24 October 2022.

REASON

To ensure that the development is carried out strictly in accordance with the approved plans.

3. The new works shall be carried out with facing brickwork and roof tiles of a similar style, colour and texture to those present on the host dwelling.

REASON

In the interests of the amenities of the area and the building concerned.

7h/119

Notes

1. You are recommended to seek independent advice on the provisions of the Party Wall etc. Act 1996, which is separate from planning or building regulation controls, and concerns giving notice of your proposals to a neighbour in relation to party walls, boundary walls and excavations near neighbouring buildings. An explanatory booklet can be downloaded at <https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance>
2. The submitted plans indicate that the proposed works come very close to, or abut neighbouring property. This permission does not convey any legal or civil right to undertake works that affect land or premises outside of the applicant's control. Care should be taken upon commencement and during the course of building operations to ensure that no part of the development, including the foundations, eaves and roof overhang will encroach on, under or over adjoining land without the consent of the adjoining landowner. This planning permission does not authorise the carrying out of any works on neighbouring land, or access onto it, without the consent of the owners of that land. You would be advised to contact them prior to the commencement of work.
3. The developer is reminded that the Control of Pollution Act 1974 restricts the carrying out of construction activities that are likely to cause nuisance or disturbance to others to be limited to the hours of 08:00 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays, with no working of this type permitted on Sundays or Bank Holidays. The Control of Pollution Act 1974 is enforced by Environmental Health.
4. Before carrying out any work, you are advised to contact Cadent Gas about the potential proximity of the works to gas infrastructure. It is a developer's responsibility to contact Cadent Gas prior to works commencing. Applicants and developers can contact Cadent at plantprotection@cadentgas.com prior to carrying out work, or call 0800 688 588
5. The proposed works may require building regulations consent in addition to planning permission. Building Control services in North Warwickshire are delivered in partnership with six other Councils under the Central Building Control Partnership. For further information please see Central Building Control - Come to the experts(centralbc.org.uk), and https://www.planningportal.co.uk/info/200187/your_responsibilities/38/building_regulations; guidance is also available in the publication 'Building work, replacements and repairs to your home' available free to download from <https://www.gov.uk/government/publications/building-work-replacements-and-repairs-to-your-home>
6. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

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7. Radon is a natural radioactive gas which enters buildings from the ground and can cause lung cancer. If you are buying, building or extending a property you can obtain a Radon Risk Report online from www.ukradon.org if you have a postal address and postcode. This will tell you if the home is in a radon affected area, which you need to know if buying or living in it, and if you need to install radon protective measures, if you are planning to extend it. If you are building a new property then you are unlikely to have a full postal address for it. A report can be obtained from the British Geological Survey at <http://shop.bgs.ac.uk/georeports/> , located using grid references or site plans, which will tell you whether you need to install radon protective measures when building the property.

For further information and advice on radon please contact the Health Protection Agency at www.hpa.org.uk. Also, if a property is found to be affected you may wish to contact the Central Building Control Partnership on 0300 111 8035 for further advice on radon protective measures.

8. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through seeking to resolve planning objections and issues and suggesting amendments to improve the quality of the proposal. As such it is considered that the Council has implemented the requirement set out in paragraph 38 of the National Planning Policy Framework.

7h/121

9f/106

Appendix A



SITE LOCATION PLAN 1:1250

Appendix B



7h/122

Appendix C



Appendix D



Appendix E

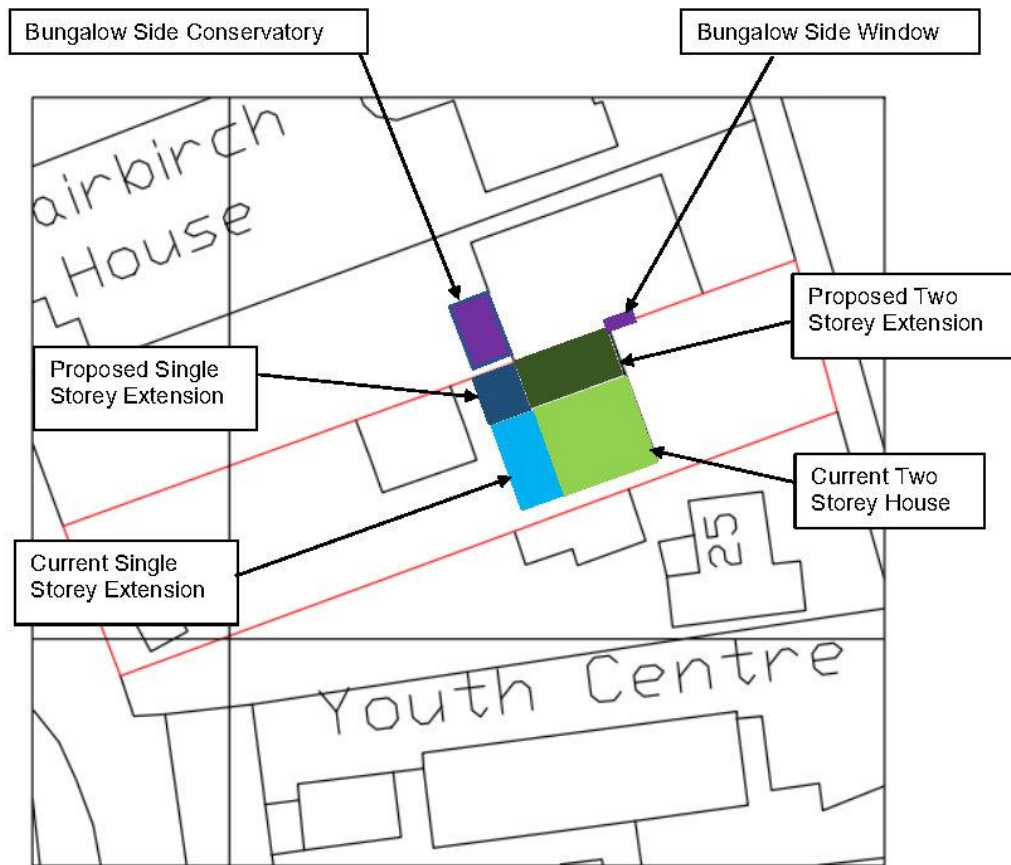


Appendix F



7h/124

Appendix G



APPENDIX B

PAP/2022/0373

23 Dordon Road, Dordon

Site Visit – 16th December 2022 at 1100

Present: Cllrs Bell, D and M Humphries, Parsons, Phillips, Reilly and Simpson, the applicant and J Brown

1. Members stood in front of the property and were shown plans of the proposed works.
2. Whilst here they noted the change in levels with the neighbouring bungalow; the existing side window in the neighbouring bungalow facing the application site and the existing ridge height.
3. The proposals were outlined with reference to the proximity of the side extension to the neighbouring bungalow and its height. Reference was also made to the new bay window and its relationship to the side bungalow window.
4. Members went to the rear where they could see the existing single storey rear extension and the garage.
5. Whilst here the depth and width of the proposed extension were pointed out with reference to the bungalow. The position and extent of its conservatory was noted.
6. The extent of the proposed works by reference to that conservatory was noted.
7. Members then walked around to the rear of the bungalow. The applicant was not present, but the owners of the bungalow were.
8. Members noted the levels difference and were able to see the extent of the proposed works in respect of the elevations of the conservatory.
9. The amount of glazing was noted
10. Members also tracked the line of the sun by reference to its position whilst on site.
11. Several Members entered the lounge of the bungalow in order to understand the matter to do with lighting.
12. The visit concluded at around 1130

Agenda Item No 10

Planning and Development Board

9 January 2023

**Report of the
Chief Executive**

Exclusion of the Public and Press

Recommendation to the Board

To consider, in accordance with Section 100A(4) of the Local Government Act 1972, whether it is in the public interest that the public and press be excluded from the meeting for the following item of business, on the grounds that it involves the likely disclosure of exempt information as defined by Schedule 12A to the Act.

Agenda Item No 11

Confidential Extract of the Minutes of the meeting of the Planning and Development Board held on 5 December 2022

In relation to the item listed above members should only exclude the public if the public interest in doing so outweighs the public interest in disclosing the information, giving their reasons as to why that is the case.

The Contact Officer for this report is Julie Holland (719237).